

EXHIBIT 1

Tuition Equalization Grant Program

REGULATIONS - 600.

2024 - 2025 Award Year



Effective Date – July 1, 2024

GSFA | Georgia Student
Finance Authority

2082 East Exchange Place
Tucker, Georgia 30084

601. Table of Contents.

Section	Page
601. Table of Contents.....	2
602. Program Overview.	5
603. Definitions. (Electronic Link).....	6
604. General Eligibility Requirements.	6
604.1. Citizenship.	6
604.2. Georgia Residency.....	6
604.3. Enrollment Status.....	7
604.4. Satisfactory Academic Progress.....	7
604.5. Selective Service Registration.....	8
604.6. Defaulted Loan or Refund Due.....	8
604.7. Georgia Drug-Free Act.	9
604.8. Incarceration.	9
605. Program Specific Eligibility Requirements.....	10
605.1. Undergraduate and Graduate Student Eligibility.....	10
605.2. Paid-Hours Limit.....	10
605.3. Attainment of a Baccalaureate Degree.....	10
606. Eligible and Ineligible Coursework.	11
606.1. Transient Coursework.	11
606.2 Distance Learning Coursework.	11
606.3. Study Away Coursework.	11
606.4. Joint and Dual Credit Enrollment Coursework.....	12
606.5. Learning Support Coursework.....	12
606.6. Coursework Exemptions.	12

606.7. Continuing Education and Audit Coursework.	12
606.8. Total Withdrawal from Coursework.	13
607. Student Application Requirements.....	14
607.1. Application Forms.....	14
607.2. Application Deadline Date.	15
607.3. Application for Subsequent Years.	15
608. Award Requirements.	16
608.1. Award Amounts.....	16
608.2. Awards Per School Term.....	16
608.3. Student Notification of Award.	16
608.4. Adjustments to Award Amounts.	17
608.5. Insufficient Funding.	17
609. Invoicing Requirements.....	18
609.1. Submission of Invoices.....	18
609.2. Payment of Invoices.....	19
609.3. Payment to Students.	19
610. Return of Funds Requirements.	20
610.1. Calculation of Return of Funds.....	20
610.2. Collection of Refunds.	20
610.3. Emergency Military Duty.....	21
611. Reconciliation Requirements.	22
611.1. Term Reconciliation.	22
611.2. Fiscal Year End Reconciliation.....	22
612. Records Retention Requirements.....	23
612.1. Length of Retention.....	23

612.2. Documentation.....	23
612.3. Extended Retention.....	24
613. Administrative Reviews and Exceptions.....	25
613.1. Administrative Reviews.	25
613.2. Exceptions.	25
614. Compliance Reviews.	26
614.1. Compliance Review Policy.	26
614.2. Compliance Review Process.....	26
614.3. Institutional Repayment.	26
614.4. Examination by State Auditor.	27

602. Program Overview.

The Tuition Equalization Grant (TEG) Program provides grant assistance toward educational costs to residents of Georgia seeking Degrees as Full-Time students at Private Eligible Postsecondary Institutions. The eligibility requirements of the TEG program do not include academic merit, achievement, or financial need criteria. The TEG program results from recognition that accredited private and independent colleges and universities located within the State of Georgia can be used more effectively in the public interest, by granting financial assistance to citizens who choose to attend such colleges and universities, and that the provision of such assistance will reduce the costs to the taxpayers of the state below the cost of providing similar instruction within the University System of Georgia (USG).

During the legislative session that precedes each Award Year, the Georgia General Assembly establishes the TEG award amount eligible students will receive for the upcoming Award Year and the total amount of funds appropriated to the program. The TEG award amount and total funding for the program may be adjusted during the Award Year.

The Georgia General Assembly created the TEG program, beginning with the 1972-1973 Award Year (State Fiscal Year 1973). State revenues provide funding for this program as authorized each year by the Georgia General Assembly. The Georgia Student Finance Authority (GSFA) administers the TEG program, in accordance with Official Code of Georgia Annotated (O.C.G.A.) §20-3-410, et seq.

603. Definitions. (Electronic Link)

604. General Eligibility Requirements.

604.1. Citizenship.

1. A student must be a United States Citizen, born or naturalized, or an Eligible Non-Citizen according to the Federal Title IV Regulations, as of the first day of classes of the school term for which TEG payment is sought.

604.2. Georgia Residency.

1. A student attending an Eligible Postsecondary Institution meets the Georgia Residency requirements for purposes of TEG eligibility, if he or she meets the criteria of the *Georgia Residency Requirements for State Programs at Private Institutions Regulations*.
 - a. A Freshman student with a non-resident Military Personnel Parent meets the Georgia Residency requirements, if such student graduated from a high school located in Georgia and his or her Military Personnel Parent was stationed in Georgia at the time of the student's high school graduation.
 - i. In order to benefit from this provision, a student must be eligible for and begin receiving TEG payment prior to earning 30 semester or 45 quarter hours of Degree credit.
2. A student attending a private Eligible Postsecondary Institution who meets the Georgia Residency requirement of the *Georgia Residency Requirements for State Programs at Private Institutions Regulations* at the time of his or her high school graduation, Home Study program completion or earned a High School Equivalency diploma, must also meet such Georgia Residency requirements for 12 consecutive months immediately prior to the first day of classes of the school term for which the TEG payment is sought.
3. A student who does not meet the Georgia Residency requirements of the *Georgia Residency Requirements for State Programs at Private Institutions Regulations* at the time of high school graduation, Home Study program completion or earned a High School Equivalency diploma, must meet such Georgia Residency requirements for 24 consecutive months immediately prior to the first day of classes of the school term for which the TEG payment is sought.
4. Military Personnel, Military Spouses, or Dependent Children shall be treated as a Georgia Resident for purposes of TEG eligibility, if the Military Personnel is stationed in Georgia on Active Duty or lists Georgia as his or her home of record.

5. A student, who was correctly determined to meet the Georgia Residency requirements and began receiving TEG payment, will continue to meet the Georgia Residency requirements for purposes of TEG eligibility unless he or she has a break in Enrollment of two or more consecutive semesters or quarters and resides outside of Georgia for 12 or more consecutive months.
 - a. If such student later returns to Georgia, he or she must re-establish Georgia Residency for 12 consecutive months, in accordance with *Section 604.2.1.*, before regaining TEG eligibility.
6. A student who has a break in Enrollment of two or more consecutive semesters or quarters, and who resides outside of Georgia for less than 12 consecutive months, and then later returns to Georgia and Enrolls in an Eligible Postsecondary Institution within 12 consecutive months from his or her most recent date of Enrollment in an Eligible Postsecondary Institution, will continue to meet the Georgia Residency requirements for purposes of TEG eligibility.

604.3. Enrollment Status.

1. A student must be Enrolled at an Eligible Postsecondary Institution in a Matriculated status.
2. A student must be classified and Enrolled as Full-Time through the last day of the Eligible Postsecondary Institution's drop/add period in order to be eligible for TEG payment.
 - a. The day after the drop/add period is referred to as the Award Date.
 - b. If a student officially or unofficially withdraws, drops out, or is expelled prior to the Award Date, he or she is ineligible to receive TEG payment for that school term.
 - c. If the Eligible Postsecondary Institution is unable to document the student's class attendance to the Award Date, the student is considered to have unofficially withdrawn and is ineligible for TEG payment.

604.4. Satisfactory Academic Progress.

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by his or her Eligible Postsecondary Institution.
 - a. For state aid programs, Eligible Postsecondary Institutions may establish an appeal process for students with dual-enrollment credit hours that fail to meet the quantitative standard (pace) for degree completion, generally identified as 150 percent of the published length of the program.

- b. The appeal should consider attempted hours toward the program in which the student is enrolled, satisfactory qualitative (grade-based) standards, and the student's satisfactory pace in pursuit of completing the program with and without the dual enrollment credits. Eligible Postsecondary Institutions have sole discretion and responsibility for evaluation and approval of any such appeals.

604.5. Selective Service Registration.

1. A student must be in compliance with Georgia state law requirements of having registered with the United States Selective Service System requirements, in accordance with O.C.G.A. § 20-3-519.1(b).
2. Selective Service registration, by required males, should be completed prior to the program application deadline in order to be eligible for payment for such school term.
 - a. A late disbursement is permitted if the student meets Selective Service requirements any time during the fiscal year.
3. GSFC will maintain Selective Service registration or exemption status information for state aid program applicants/recipients. The registration status will be available to the postsecondary institution in which the student is enrolled in order for the institution to determine program eligibility.
 - a. The Institution may collect documentation supporting a student's registration status and submit to GSFC for consideration.
4. Male applicants required to register with the Selective Service System must have a registered or exemption status on file with GSFC to be eligible for state aid programs and for a disbursement invoice to be paid.

604.6. Defaulted Loan or Refund Due.

1. A student must not be in default on a Federal Title IV or State of Georgia educational loan or owe a refund due to an over-award on a Federal Title IV or State of Georgia student financial aid program, or in any other way be in violation of Federal Title IV Programs Regulations or State of Georgia student financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by GSFA on behalf of the student.
2. A student's federal default status can be resolved in one of five ways:
 - a. Completing an acceptable rehabilitation plan;
 - b. Having the loan repurchased by the original lender and the default status reversed;
 - c. Consolidating the loan out of a default status;

- d. Receiving an approved Title IV debt settlement, to include a compromised settlement; or
 - e. Making monthly payments over a specified period agreed-upon with the lender of the Student's federal loan; each payment must be on time and voluntary to be in a satisfactory repayment plan.
3. A student's State of Georgia refund due status can be resolved by:
- a. Paying the refund due to the Eligible Postsecondary Institution at which the over-award occurred. The Eligible Postsecondary Institution will then forward the payment to GSFA.
4. A student's default status on a State of Georgia loan can be resolved in one of two ways:
- a. Paying off the defaulted loan in full; or
 - b. Complete an acceptable rehabilitation plan by making voluntary on time payments over a specified period agreed upon with GSFA.
5. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive state scholarship, grant or loan funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

604.7. Georgia Drug-Free Act.

- 1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for TEG payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. §20-1-20, et seq.

604.8. Incarceration.

- 1. A student is ineligible for TEG payment while incarcerated. Upon release from Incarceration, such student may begin receiving TEG payments, if he or she meets all other TEG eligibility requirements.

605. Program Specific Eligibility Requirements.

605.1. Undergraduate and Graduate Student Eligibility.

1. A student Enrolled as an Undergraduate in a program of study pursuing an Associate Degree or Baccalaureate Degree is eligible for TEG payment, if he or she meets all other TEG requirements including the Paid-Hours limit.
2. A student Enrolled in a program of study leading to a Doctor of Pharmacy Degree, at an Eligible Postsecondary Institution that does not offer a Baccalaureate Degree in Pharmacy, is eligible for TEG payment as an Undergraduate student (third and fourth years) if he or she meets all other TEG requirements, including the Paid-Hours limit. Upon entering the fifth year, such student is no longer considered an Undergraduate student for purposes of the TEG program and is ineligible for TEG payment.
3. A student Enrolled in medicine, dentistry, law, optometry, veterinary, chiropractic, podiatry, or other Graduate programs of study is not considered an Undergraduate student and is ineligible for TEG payment, even though he or she may not have received a Baccalaureate Degree.
4. A student Enrolled in a Graduate program is ineligible for TEG payment, unless funds are specifically appropriated by the Georgia General Assembly for the purpose of providing TEG awards to Graduate students.

605.2. Paid-Hours Limit.

1. A student is eligible to receive TEG payment for a maximum of 127 semester or 190 quarter hours of TEG payments, referred to as Paid-Hours.
 - a. As part of the invoicing process, Eligible Postsecondary Institutions must report to GSFA the actual number of hours attempted, not just the hours earned, by each student for which TEG payment is requested for a school term.
 - b. For the school term in which a student reaches the Paid-Hours limit of 127 semester or 190 quarter hours, the student can be paid only for the hours up to the Paid-Hours limit. However, a student who will reach the Paid-Hours limit with a fraction of an hour can be paid for a full hour.
 - c. A maximum of 12 semester or quarter hours per term will be counted toward the Paid-Hours limit, even if actual enrollment is greater than 12 hours.

605.3. Attainment of a Baccalaureate Degree.

1. A student is eligible for TEG payment regardless of whether he or she has earned a Baccalaureate Degree. An otherwise eligible student who has already obtained a Baccalaureate Degree, and who is in a Matriculated status working toward a second or additional Undergraduate Degree, is eligible for TEG payment.

606. Eligible and Ineligible Coursework.

606.1. Transient Coursework.

1. A Transient student is eligible for TEG payment if the Private Eligible Postsecondary Institution at which he or she is normally Enrolled and Matriculated (Home Institution) has a written agreement with a Host Institution to transfer the credit hours from the Host Institution, for application toward the student's Degree at the Home Institution.
 - a. The TEG payment must take place through the Host Institution, which must also be an Eligible Postsecondary Institution.
 - b. The Transient student must be Enrolled Full-Time at the Host Institution and meet all other TEG eligibility requirements.
 - i. Less than Full-Time status at the Home Institution and less than Full-Time status at the Host Institution for the same school term cannot be combined to establish Full-Time status.
2. A Transient student is ineligible for TEG payment, if either the Home Institution or the Host Institution is not a private Eligible Postsecondary Institution approved for participation in the TEG program.
3. The Host Institution awards TEG funds to the Transient student based on certification of eligibility from the Home Institution.
 - a. The Home Institution is responsible for verifying the eligibility of their Transient students.
 - b. The Host Institution must report TEG payment for Transient students to GSFA in the same manner it reports TEG payments for its regular students.
4. The Home Institution is liable for the Return of Funds the student receives at the Host Institution, if the Home Institution erroneously certifies the student's eligibility to the Host Institution.

606.2 Distance Learning Coursework.

1. A student participating in Distance Learning coursework is eligible to receive TEG payment, if all other eligibility criteria are met.

606.3. Study Away Coursework.

1. A student Enrolled in a Matriculated status at an Eligible Postsecondary Institution, who meets all other TEG eligibility requirements, may qualify for TEG payment while participating in a Study Away program.

2. The Home Institution must have a written agreement with the institution (foreign or non-Eligible Postsecondary Institution) or a single written arrangement with a study-abroad organization to represent an agreement between the Home Institution and the institution at which a student is participating in a Study Away program.
3. A student's Eligible Postsecondary Institution, which is his or her Home Institution, must approve the Study Away program for credit toward the student's Degree program prior to the student's departure.
4. The TEG award must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted.
5. The Home Institution must maintain documentation of the student's actual tuition charges for the Study Away program at the Host Institution.
6. At the time of disbursement, a current enrollment verification for the student from the Host Institution indicating the courses and number of hours must be on file with the Home Institution.
7. The TEG payment must take place through the Home Institution.
8. The Eligible Postsecondary Institution must have on file the student's written or electronic permission to have any specific fees withheld from the TEG disbursement.
9. If the student is participating in a Study Away program via another private Eligible Postsecondary Institution serving as the student's Host Institution. In this situation, the Host Institution must treat the Study Away student as a Transient student, as prescribed by *Section 606.1*.

606.4. Joint and Dual Credit Enrollment Coursework.

1. A student is ineligible for TEG payment for Degree coursework attempted while participating in Joint Enrollment or Dual Enrollment coursework.

606.5. Learning Support Coursework.

1. A student seeking a Degree who Enrolls in Learning Support coursework is eligible for TEG payment for such coursework, if he or she meets all TEG program eligibility requirements. Learning Support credit hours are counted as Paid-Hours.

606.6. Coursework Exemptions.

1. A student is ineligible to receive TEG payment for coursework that was exempted or given credit by examination, testing, training, or experience.

606.7. Continuing Education and Audit Coursework.

1. A student is ineligible to receive TEG payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework.

606.8. Total Withdrawal from Coursework.

1. A student is ineligible for TEG payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal.

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607. Student Application Requirements.

607.1. Application Forms.

1. In order to be considered for a TEG award, a student must have one of the following application forms on file and in an approved status with GSFA:
 - a. GSFAPP; or
 - b. Current year FAFSA.
 - i. A student who applies for TEG by completing and submitting a FAFSA must complete and submit a new FAFSA for each Award Year.
2. In addition to one of the two applications identified above, an Eligible Postsecondary Institution may require students to complete the Eligible Postsecondary Institution's application for student financial aid or other forms to provide supplemental information for the purpose of determining TEG eligibility.
3. Once a student has submitted a GSFAPP and it has been accepted on GSFA's system as a valid application, it will remain on GSFA's system as a valid application for 120 consecutive months following the application's approval date.
 - a. The student's application will remain valid during the 120 month period, regardless of whether or not an Eligible Postsecondary Institution submits a TEG invoice to GSFA on behalf of the student during the 120 month period. Upon conclusion of the 120 month period, the student's application will expire.
 - b. Once an application has expired, the student will be required to submit a new application in order for a TEG invoice to be processed for the student by GSFA.
 - c. If during the original application's 120 month period, the student submits to GSFA a new application for TEG, or an application for a program other than TEG, both applications will remain valid for 120 consecutive months following the second application's approval date.
 - d. The above stipulations apply to all GSFAPP accepted as valid applications on GSFA's system, including such applications that were submitted to and accepted prior to the 2008-2009 Award Year.

607.2. Application Deadline Date.

1. A student must file a GSFAPP or FAFSA on or before the last day of the school term (semester or quarter) or the student's withdrawal date, whichever occurs first, in order to be paid for that school term.
 - a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later.
 - b. Supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility.
2. Eligible Postsecondary Institutions may institute their own student application deadline dates exclusive of the TEG regulations or requirements.

607.3. Application for Subsequent Years.

1. It is not mandatory, except as provided for in *Section 607.1.1.b.i.*, of these regulations, for a student to complete a new application for TEG for each Award Year. However, Eligible Postsecondary Institutions may have separate application requirements.

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608. Award Requirements.**608.1. Award Amounts.**

1. The TEG award amounts per semester or quarter are provided below. Award changes become effective beginning with the Fall term. A student who meets all TEG eligibility requirements, including Full-Time Enrollment, may receive payment for three semesters or four quarters for the Award Year. However, these award amounts are subject to change during the Award Year (refer to *Section 608.5.*).

NEW

Term	FY	Semester System	Quarter System
Summer 2024	25	\$500.00	\$333.00
Fall 2024	25	\$550.00	\$367.00
Winter 2025	25	Not Applicable	\$367.00
Spring 2025	25	\$550.00	\$366.00
Summer 2025	26	\$550.00	\$367.00

2. For a student Enrolled Full-Time during a term in which he or she reaches the Paid-Hours limit, such student can receive payment only for hours up to the limit. The Per Credit Hour award for such student is:

Term	Semester System	Quarter System
Per Credit Hour	\$46.00	\$31.00

608.2. Awards Per School Term.

1. TEG payment is available to students for the standard school terms of Summer, Fall, and Spring semesters or Summer, Fall, Winter, and Spring quarters.
 - a. An Eligible Postsecondary Institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter.
 - b. An Eligible Postsecondary Institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student may only be awarded TEG funds for a maximum of three semesters or four quarters per Award Year.

608.3. Student Notification of Award.

1. An Eligible Postsecondary Institution must notify each TEG recipient of the amount of TEG funds he or she is awarded for the Award Year and identify such funds as a TEG award.

2. A student who wishes to decline a TEG award must do so actively. The Eligible Postsecondary Institution must maintain a record of the student's notification to the Eligible Postsecondary Institution that he or she is declining the award.
 - a. A student's decision to decline a TEG award becomes final and irrevocable on the last day of the term for which the TEG award was made.

608.4. Adjustments to Award Amounts.

1. A student's TEG award amount must be reduced if the student is receiving any other student financial aid from federal, state, institutional or private sources, which in combination with the TEG award amount would exceed the student's Cost of Attendance. The student's TEG award, plus any other student financial aid, must not exceed the student's Cost of Attendance.

608.5. Insufficient Funding.

1. Should TEG funds available to GSFA from state appropriations be insufficient to fulfill TEG payments for all eligible students for the Award Year, it may be necessary to reduce the TEG award amounts payable to students for a particular school term or terms or to eliminate TEG payments, altogether, for a school term or terms.

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609. Invoicing Requirements.

609.1. Submission of Invoices.

1. A student must have a completed and approved application for TEG on file with GSFA before an Eligible Postsecondary Institution can successfully submit a TEG invoice to GSFA for such student for a school term.
2. Eligible Postsecondary Institutions may submit TEG invoices to GSFA as early as 15 calendar days prior to the first day of classes for the school term. This provision does not release an Eligible Postsecondary Institution from its responsibility to verify the Enrollment requirements of *Section 604.3*.
3. Invoices must be submitted through GSFA's online invoicing system, Scholarship Up-to-date Records for Electronic Reporting (SURFER), processed, and approved by GSFA by the Invoicing Deadline Date as established by GSFA. Each invoice submitted by the Eligible Postsecondary Institution must include Enrolled-Hours, Paid-Hours, and the student's program of study information, when applicable to the program.
4. TEG invoices submitted to GSFA by Eligible Postsecondary Institutions after the Invoicing Deadline Date for a school term will not be honored or paid by GSFA.
5. Invoices submitted prior to the Invoicing Deadline Date but for which resolution of any applicable Invoicing Reject was not reached until after the Invoicing Deadline Date will not be paid by GSFA.
6. Prior to the beginning of any Award Year and no later than June 30 of each year GSFA shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.
 - a. An invoice may be honored or paid after the Invoicing Deadline Date if the failure to meet the date was due to:
 - i. The need for supplemental documentation required by the Eligible Postsecondary Institution or GSFA to support or verify a student's eligibility; or
 - ii. Late grades, late completions, grade changes; or
 - iii. Other adjustments made to the student's official academic transcript that resulted in a change in eligibility, and the student met all other eligibility requirements prior to the deadline.
7. The President of GSFA has sole discretion in the determination of invoice deadlines and extensions. The decision of the President of GSFA shall be final.

609.2. Payment of Invoices.

1. TEG funds are paid to the Eligible Postsecondary Institution by electronic transfer of funds on behalf of eligible students each school term upon submission to GSFA of a TEG invoice.

609.3. Payment to Students.

1. TEG funds may be applied to any of the Eligible Postsecondary Institution's direct charges, such as Tuition, fees, room and meals. If a student does not owe a balance, the Eligible Postsecondary Institution shall pay any remaining amount of the TEG award to the student.

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610. Return of Funds Requirements.

610.1. Calculation of Return of Funds.

1. If a student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund due to the adjustment of tuition charges, a portion of such refund may need to be returned to the Eligible Postsecondary Institution's TEGfund.
2. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Return of Funds policy for any federal aid the student may have received. To determine the refund due to the TEG Program, the Eligible Postsecondary Institution must then apply the Eligible Postsecondary Institution's refund policy, if different from Federal Title IV Return of Funds policy to the student's original TEG award.
3. The Eligible Postsecondary Institution must determine the amount of the refund due back to the TEG Program. The amount of the TEG award not determined to be owed back to the TEG Program is retained by the Eligible Postsecondary Institution to cover the institution's cost for the portion of the school term that the student was enrolled.
 - a. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within forty-five (45) calendar days of the determination.
 - b. If the Eligible Postsecondary Institution has sufficient funds on hand to return to GSFA the refund owed to the TEG Program, it should return the funds within forty-five (45) calendar days of the refund determination.
 - i. The Eligible Postsecondary Institution would then collect the refund amount from the student.
 - ii. The student should not be reported with a refund due status to GSFA since the funds have been repaid to GSFA.
4. If the Eligible Postsecondary Institution does not have sufficient funds on hand to return to GSFA the refund owed to the TEG Program, the student is considered to have a refund due to GSFA and the Eligible Postsecondary Institution must report the student to GSFA with a refund due status.

610.2. Collection of Refunds.

1. A borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFA will notify the borrower that they are in default and GSFA intends to proceed with any of the remedies listed in this subsection. The borrower will be given 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

610.3. Emergency Military Duty.

1. A student who is a member of the United States Armed Forces, National Guard, or Military Reserve Forces receiving funds from the TEG Program who is called to emergency military duty during a school term that is already in progress should not have his or her TEG eligibility negatively impacted.
2. If the Eligible Postsecondary Institution the student attends allows the student to totally withdraw and receive a grade such as “WM” for military withdrawal or the Eligible Postsecondary Institution totally removes all grades for that term and corresponding credit hours from the student’s records, the Eligible Postsecondary Institution should return the full amount of the TEG award to the TEG account.
3. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the United States Armed Forces, as determined by the president of the Eligible Postsecondary Institution that such student is attending.

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611. Reconciliation Requirements.

611.1. Term Reconciliation.

1. Eligible Postsecondary Institutions must conduct a Term Reconciliation by the end of each term. A Term Reconciliation consists of an official acknowledgement by an authorized school official, through Postsecondary Functions that the number of students submitted for payment, total invoiced, the number of invoices paid, and total disbursed by GSFA to the Eligible Postsecondary Institution, according to Postsecondary Functions is accurate on that date.
 - a. GSFA will not issue any state grant funds for the following term until the Term Reconciliation is complete.
 - b. Funds are not returned to GSFA as part of the Term Reconciliation process.

611.2. Fiscal Year End Reconciliation.

1. Eligible Postsecondary Institutions must conduct the Fiscal Year End Reconciliation consisting of an official acknowledgement by an authorized school official, through Postsecondary Functions verifying, student by student, the accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to the student's Enrolled-Hours, Paid-Hours, Learning Support, and program of study information, when applicable to the program.
 - a. Reconciliation certification forms must be completed and submitted electronically, through Postsecondary Functions by July 15, immediately following the completion of the Fiscal Year for each State Program.
 - b. Return to GSFA any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
 - c. GSFA will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
 - d. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

612. Records Retention Requirements.

612.1. Length of Retention.

1. An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the TEG Program, including, but not limited to, individual student files for whichever is longer:
 - a. Three years after the Award Year in which the aid was awarded; or
 - b. For such other period as required by an applicable statute, rule, or regulation; or
 - c. Such other time as requested in writing by GSFA.

612.2. Documentation.

1. Documentation contained within an individual student's file or record, which supports the original determination of a student's eligibility, must be retained by the Eligible Postsecondary Institution and available for review by GSFA on the Eligible Postsecondary Institution's campus located within the State of Georgia, for at least three years after the most recent Award Year for which the student received TEG funds (refer to *Section 614.*).
2. Eligible Postsecondary Institutions are permitted to maintain these documents in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
 - a. Such documentation may include, but is not limited to, copies of permanent resident alien cards, Georgia state income tax returns, or applications for student financial aid.
 - i. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the Eligible Postsecondary Institution.
 - ii. Documentation supporting a student's eligibility that is received and maintained by the Eligible Postsecondary Institution's admissions office, registrar's office, business office, or other administrative operations of the institution, must be available to GSFA for the purpose of Compliance Reviews.
3. It is the Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing TEG funds to the student.

612.3. Extended Retention.

1. An Eligible Postsecondary Institution may be required to retain student records involved in a Compliance Review Audit or investigation for more than the three- year retention period set forth in *Section 612.1*. If the three-year retention period expires before the issue in question is resolved, the Eligible Postsecondary Institution must continue to retain all associated records until a resolution is reached.

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613. Administrative Reviews and Exceptions.

1. A student may request an Administrative Review of the application of a TEG rule, policy or regulation if the student believes such rule, policy, or regulation was incorrectly or improperly applied.

613.1. Administrative Reviews.

1. The TEG Program Regulations are applied to each student considered for TEG funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFA.
2. If a student believes a TEG rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with GSFA.
3. In order for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFA's office within 45 calendar days of receiving notice of denial from the Eligible Postsecondary Institution or GSFA. If additional information is requested from the student, it must be provided within the time frame specified by GSFA.
 - a. GSFA will review the case and determine whether the rule or regulation was applied correctly and notify the student and Eligible Postsecondary Institution of the determination.
 - b. GSFA decides a case based only on documentation provided, rather than a personal presentation.

613.2. Exceptions.

1. Requests for Exceptions to the TEG Program Regulations cannot be considered, reviewed, or granted under any circumstances.

614. Compliance Reviews.

614.1. Compliance Review Policy.

1. GSFA shall conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the TEG Program in order to assess institutional administration of the program and compliance with the program's regulations. Such Compliance Reviews shall be conducted no less frequently than once every three years in accordance with GSFA's *Compliance Review Process and Procedures* document, which is available at gsfc.georgia.gov, under *Information for School Compliance*.

614.2. Compliance Review Process.

1. GSFA selects a sampling of the Eligible Postsecondary Institution's TEG recipients, for the Award Year under review, and the Eligible Postsecondary Institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution (refer to *Section 612.*).

614.3. Institutional Repayment.

1. In the event it is determined that an Eligible Postsecondary Institution knowingly, or through error, certified an ineligible student to be eligible for TEG, the amount of such grant shall be refunded by the Eligible Postsecondary Institution to GSFA.
2. GSFA may suspend an Eligible Postsecondary Institution from receiving TEG payments if it fails to timely refund any monies deemed due based on the Compliance Review.
3. Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts such statement or misrepresentation knowing it to be false, for the purpose of enabling an ineligible student to wrongfully obtain a TEG award shall be guilty of a misdemeanor.
4. If evidence not available at the time of awarding indicates that a student should not have received the TEG payment, then all future TEG awards for that student must be canceled.
 - a. The Eligible Postsecondary Institution is held harmless by GSFA if the student's file is appropriately documented with available evidence and it is determined by GSFA that the Eligible Postsecondary Institution was not at fault.

- b. Evidence is considered unavailable at the time of awarding if it is not available in the student's institutional files (i.e., financial aid, admissions, registrar, etc.).
5. The Eligible Postsecondary Institution must notify the student and GSFA of a refund due to GSFA.
6. The student is ineligible to receive additional state aid from GSFA until the refund is paid in full, in accordance with *Section 610.2*.
7. If GSFA determines that the student's file is not adequately documented, the Eligible Postsecondary Institution may be solely responsible for the repayment.

614.4. Examination by State Auditor.

1. In addition to Compliance Reviews conducted by GSFA, an Eligible Postsecondary Institution may be subject to examination by the state auditor for the sole purpose of determining whether the Eligible Postsecondary Institution properly certified eligibility of students and credited TEG payments on behalf of students. In the event it is determined that the Eligible Postsecondary Institution knowingly or through error certified an ineligible student to be eligible for TEG payment, such payment must be refunded by the Eligible Postsecondary Institution to GSFA.

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EXHIBIT 2

HOPE Scholarship Program at Private Institutions

Regulations – 200.

2024 - 2025 Award Year



Effective Date – July 1, 2024

GSFC | Georgia Student
Finance Commission

2082 East Exchange Place
Tucker, Georgia 30084

201. Table of Contents.

Section	Page
201. Table of Contents.	2
202. Program Overview.	6
203. Definitions. (Electronic Link).....	7
204. General Eligibility Requirements.	7
204.1. Citizenship.	7
204.2. Georgia Residency.....	7
204.3. Enrollment Status.....	8
204.4. Satisfactory Academic Progress.....	8
204.5. Selective Service Registration.....	9
204.6. Defaulted Loan or Refund Due.....	9
204.7. Georgia Drug-Free Act.	10
204.8. Incarceration.	10
205. Program Specific Eligibility Requirements.....	11
205.1. HOPE Scholarship Grade-point Calculation.	11
205.2. Academic Rigor Requirements.....	12
205.3. First-Tier Academic Requirements.....	13
205.4. First-Tier Academic Requirements: Retroactive Eligibility.	15
205.5. First-Tier Academic Requirements: 75 th Percentile Eligibility.....	15
205.6. First-Tier Academic Checkpoints.....	16
205.7. Second-Tier Academic Requirements.....	16
205.8. Second-Tier Academic Checkpoints.	17
205.9. Third-Tier Academic Requirements.....	17
205.10. Third-Tier Academic Checkpoints.	18
205.11. Fourth-Tier Academic Requirements.....	19
205.12. STEM Courses.....	20

205.13. Grade Changes and Incompletes.....	21
205.14. Attempted-Hours Limit.....	22
205.15. Attempted-Hours Calculation.	22
205.16. Combined Paid-Hours Limit.	24
205.17. Attainment of a Baccalaureate Degree.....	24
205.18. Expiration of Eligibility Limits.....	25
205.18.1 Ten Year Limit.....	25
205.18.2. Seven Year Limit.....	25
205.18.3. Military Service Extension Request.....	26
205.18.4. ADA Limited Extension Request	26
205.18.5. No Expiration Limit.	26
205.19. Eligibility after Losing HOPE Scholarship at Two Checkpoints.....	26
206. Eligible and Ineligible Coursework.	27
206.1. Transient Coursework.	27
206.2. Distance Learning Coursework.	27
206.3. Study Away Coursework.....	27
206.4. First Professional Degree.....	28
206.5. Joint Enrollment and Dual Credit Enrollment Coursework.....	28
206.6. Learning Support Coursework.....	28
206.7. Coursework Exemptions.	29
206.8. Continuing Education and Audit Coursework.	29
206.9. Total Withdrawal from Coursework.	29
207. Student Application Requirements.	30
207.1. Application Forms.	30
207.2. Application Deadline Date.	30
207.3. Application for Subsequent Years.	31
208. Award Requirements.	32
208.1. Full-Time Awards.	32

208.2. Full-Time Awards.	32
208.3. Half-Time Awards.	32
208.4. Per Credit Hour Awards.	33
208.5. Awards Per School Term.	33
208.6. Student Notification of Award.	33
208.7. Effect of Other Aid on HOPE Scholarship Eligibility.	34
209. College HOPE Eligibility Calculation Service (CHECS) Reporting Requirements.	35
209.1. CHECS.	35
210. Invoicing Requirements.	36
210.1. Submission of Invoices.	36
210.2. Payment of Invoices.	37
210.3. Tuition Payments.	37
211. Return of Funds Requirements.	38
211.1. Calculation of Return of Funds.	38
211.2. Collection of Refunds.	39
211.3. Emergency Military Duty.	39
212. Reconciliation Requirements.	40
212.1. Term Reconciliation.	40
212.2. Fiscal Year End Reconciliation.	40
213. Records Retention Requirements.	41
213.1. Length of Retention.	41
213.2. Documentation.	41
213.3. Extended Retention.	42
214. Administrative Reviews and Exceptions.	43
214.1. Administrative Reviews.	43
214.2. Requesting an Exception.	43
214.3. Guidelines for Approval of an Exception Request.	46

214.4. Guidelines for Denial of an Exception Request.	48
215. Compliance Reviews.....	50
215.1. Compliance Review Policy.	50
215.2. Compliance Review Process.....	50
215.3. Institutional Repayment.....	50

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202. Program Overview.

The HOPE Scholarship Program is a merit-based scholarship program with specific academic and grade point average eligibility requirements. The purpose of the HOPE Scholarship Program is to encourage the academic achievement of Georgia's high school students and Georgians seeking Degrees from postsecondary institutions located in Georgia.

An eligible student seeking a Degree from a private Eligible Postsecondary Institution located within the State of Georgia may receive the HOPE Award Amount to be determined by the Georgia Student Finance Commission (GSFC).

The HOPE Scholarship Program for students attending Georgia's private postsecondary institutions was created beginning with the 1996-1997 Award Year (State Fiscal Year 1997). The program is fully funded by the Georgia Lottery for Education and administered by GSFC, in accordance with Official Code of Georgia Annotated (O.C.G.A.) § 20-3-519, et seq.

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203. Definitions. (Electronic Link)

204. General Eligibility Requirements.

204.1. Citizenship.

1. A student must be a United States Citizen, born or naturalized, or an Eligible Non-Citizen according to the Federal Title IV Regulations, as of the first day of classes of the school term for which the HOPE Scholarship is sought. Employees of the Free Trade Area of the Americas (FTAA), their spouses, and their dependents are not exempt from this requirement.

204.2. Georgia Residency.

1. A student entering the HOPE Scholarship Program at any Tier and attending a private Eligible Postsecondary Institution who meets the Georgia Residency requirements of the *Georgia Residency Requirements for State Programs at Private Institutions Regulations* at the time of his or her high school graduation, Home Study completion or earned a High School Equivalency diploma, must also meet such Georgia Residency requirements for 12 consecutive months immediately prior to the first day of classes of the school term for which the HOPE Scholarship is sought.
2. A student who does not meet the Georgia Residency requirements of the *Georgia Residency Requirements for State Programs at Private Institutions Regulations* at the time of high school graduation, Home Study completion or earned a High School Equivalency diploma, must meet such Georgia Residency requirements for 24 consecutive months immediately prior to the first day of classes of the school term for which the HOPE Scholarship is sought.
3. Military Personnel, Military Spouses, or Dependent Children shall be treated as a Georgia Resident for purposes of HOPE Scholarship eligibility if the Military Personnel is stationed in Georgia on active duty or lists Georgia as his or her home of record.
4. Members of the Georgia National Guard shall be treated as a Georgia resident for purposes of HOPE Scholarship eligibility.
5. Members of a reserve component of the United States Armed Forces, assigned to a reserve unit located in Georgia, shall be treated as a Georgia resident for purposes of HOPE Scholarship eligibility.
6. Full-time employees of the FTAA, who are recognized by the United States Department of State as based in Georgia, their spouses, and their dependents are considered to meet the Georgia Residency requirements for participation in the HOPE Scholarship Program, regardless of the length of time they have resided in Georgia.

7. A student, who was correctly determined to meet the Georgia Residency requirements for purposes of HOPE Scholarship eligibility and began receiving HOPE Scholarship payment, will continue to meet the Georgia Residency requirements for purposes of HOPE Scholarship eligibility, unless he or she has a break in Enrollment of two or more consecutive semesters or quarters and resides outside of Georgia for 12 or more consecutive months.
 - a. If such student later returns to Georgia, he or she must re-establish Georgia Residency for 12 consecutive months, (in accordance with *Section 204.2.1.*), before regaining HOPE Scholarship eligibility.
8. A student who has a break in Enrollment of two or more consecutive semesters or quarters and resides outside Georgia for less than 12 consecutive months and then later returns to Georgia and Enrolls in an Eligible Postsecondary Institution within 12 consecutive months from his or her most recent date of Enrollment in an Eligible Postsecondary Institution will continue to meet the Georgia Residency requirements for purposes of HOPE Scholarship eligibility.

204.3. Enrollment Status.

1. A student must be Enrolled at a private Eligible Postsecondary Institution in a Matriculated status leading to a Degree.
2. A student must be classified as Full-Time at the end of the Eligible Postsecondary Institution's drop/add period in order to be eligible for the Full- Time award amount.
3. A student must be classified as Half-Time at the end of the Eligible Postsecondary Institution's drop/add period in order to be eligible for the Half- Time award amount.
 - a. For the school term in which a student reaches the Attempted-Hours or Combined Paid-Hours limit of 127 semester or 190 quarter hours, the student can be paid only for the hours up to the Attempted-Hours or Combined Paid-Hours limit. However, a student who will reach the Attempted-Hours or Paid-Hours limit with a fraction of an hour remaining can be paid for a full hour.

204.4. Satisfactory Academic Progress.

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by his or her Eligible Postsecondary Institution.
 - a. For state aid programs, Eligible Postsecondary Institutions may establish an appeal process for students with hours attempted prior to high school graduation or home study completion, including dual enrollment, AP, IB, and/or other such coursework that fail to meet the quantitative standard (pace) for degree completion, generally identified as 150 percent of the published length of the program.

- b. The appeal should consider attempted hours toward the program in which the student is enrolled, satisfactory qualitative (grade-based) standards, and the student's satisfactory pace in pursuit of completing the program with and without the hours attempted prior to high school graduation or home study completion, including dual enrollment, AP, IB, and/or other such coursework. Eligible Postsecondary Institutions have sole discretion and responsibility for evaluation and approval of any such appeals.

204.5. Selective Service Registration.

1. A student must be in compliance with Georgia state law requirements of having registered with the United States Selective Service System requirements, in accordance with O.C.G.A. § 20-3-519.1(b).
2. Selective Service registration, by required males, should be completed prior to the program application deadline in order to be eligible for payment for such school term.
 - a. A late disbursement is permitted if the student meets Selective Service requirements any time during the fiscal year.
3. GSFC will maintain Selective Service registration or exemption status information for state aid program applicants/recipients. The registration status will be available to the postsecondary institution in which the student is enrolled in order for the institution to determine program eligibility.
 - a. The Institution may collect documentation supporting a student's registration status and submit to GSFC for consideration.
4. Male applicants required to register with the Selective Service System must have a registered or exemption status on file with GSFC to be eligible for state aid programs and for a disbursement invoice to be paid.

204.6. Defaulted Loan or Refund Due.

1. A student must not be in default on a Federal Title IV or State of Georgia educational loan or owe a refund due to an over-award on a Federal Title IV or State of Georgia student financial aid program, or in any other way be in violation of Federal Title IV Programs Regulations or State of Georgia student financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by GSFC on behalf of the student.
2. A student's federal default status can be resolved in one of five ways:
 - a. Completing an acceptable rehabilitation plan; or
 - b. Having the loan repurchased by the original lender and the default status reversed; or

- c. Consolidating the loan out of a default status; or
 - d. Receiving an approved Title IV debt settlement, to include a compromised settlement; or
 - e. Making monthly payments over a specified period agreed-upon with the lender of the student's federal loan; each payment must be on time and voluntary to be in a satisfactory repayment plan.
3. A student's State of Georgia refund due status can be resolved by:
- a. Paying the refund due to the Eligible Postsecondary Institution at which the over-award occurred. The Eligible Postsecondary Institution will then forward the payment to GSFC.
4. A student's default status on a State of Georgia loan can be resolved in one of two ways:
- a. Paying off the defaulted loan in full; or
 - b. Completing an acceptable rehabilitation plan by making voluntary on time payments over a specified period agreed-upon by GSFA.
5. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive state scholarship, grant or loan funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

204.7. Georgia Drug-Free Act.

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for HOPE Scholarship payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. § 20-1-20, et seq.

204.8. Incarceration.

1. A student seeking a Degree from an Eligible Postsecondary Institution is ineligible for HOPE Scholarship payment while Incarcerated. Upon release from Incarceration, such student may begin receiving HOPE Scholarship payments, if he or she meets all HOPE Scholarship eligibility requirements. Degree credit hours attempted while Incarcerated must be counted as Attempted-Hours for purposes of HOPE Scholarship eligibility.

205. Program Specific Eligibility Requirements.

205.1. HOPE Scholarship Grade-point Calculation.

1. Beginning with the High School Graduating Class of 2007, Eligible High Schools located in Georgia are required to provide GSFC with electronic academic transcripts for all graduating students, at the time and in the format prescribed by GSFC. GSFC shall use such transcript data to calculate each student's Grade Point Average (GPA) for purposes of HOPE Scholarship eligibility.
 - a. If the transcript for the school from which the student graduated does not show the student's complete academic record for 9th, 10th, 11th, and 12th grades, additional transcripts must be provided from all other schools attended during those years.
 - b. Calculation of the GPA will not occur until official academic transcripts showing a complete high school academic record are received.
2. A student who graduates from an Eligible High School that is not located in Georgia, shall provide GSFC with an official academic transcript upon high school graduation. GSFC shall use such transcript data to calculate the student's HOPE GPA for purposes of HOPE Scholarship eligibility.
 - a. If the transcript for the school from which the student graduated does not show the student's complete academic record for 9th, 10th, 11th and 12th grades, additional transcripts must be provided from all other schools attended during those years.
 - b. Calculation of the HOPE GPA will not occur until official academic transcripts showing a complete high school academic record are received.
3. All of the academic requirements for designation as a HOPE Scholar and for meeting academic requirements for the HOPE Scholarship at the First-Tier also apply to any student previously designated as a HOPE Scholar from a High School Graduating Class prior to the Class of 2007 if the student did not Enroll for the first time at an Eligible Postsecondary Institution before May 1, 2007.
4. GSFC shall recalculate the high school HOPE GPA for purpose of the HOPE Scholarship for such students.

5. When calculating a student's high school HOPE GPA for purposes of HOPE Scholar designation, and for meeting the HOPE Scholarship academic requirements at the First-Tier, GSFC will remove the weighted portion, if any, added by the student's Eligible High School, from any grade earned from Advanced Placement, International Baccalaureate, or Dual Credit Enrollment coursework and convert the grade to a 4.00 scale.
6. GSFC will add a standard weight, up to the maximum of a 4.00 grade, as indicated in the following chart:

Academic Year Course Attempted	Advanced Placement Courses	International Baccalaureate Courses	Degree Level Dual Credit Enrollment Core Courses
Prior to 2006-2007	1.0	1.0	0
2006-2007 through 2012-2013	.5	.5	0
2013-2014 and later	.5	.5	.5 for students graduating high school July 1, 2013 or later

7. Grades for Honors or other special courses will not be weighted. GSFC will remove the weighted portion, if any, added by the student's Eligible High School from any grade earned from Honors or other special courses.

205.2. Academic Rigor Requirements.

1. Beginning with the High School Graduating Class of 2015, a student meeting the requirements to be a HOPE Scholar at the time of high school graduation must earn a minimum of two full credits from the academic rigor course categories listed below prior to graduating from high school.
2. For the High School Graduating Class of 2016, a student meeting the requirements to be a HOPE Scholar at the time of high school graduation must earn a minimum of three full credits from the academic rigor course categories listed below prior to graduating from high school.
3. For the High School Graduating Class of 2017 and beyond, a student meeting the requirements to be a HOPE Scholar at the time of high school graduation must earn a minimum of four full credits from the academic rigor course categories listed below prior to graduating from high school.

4. Credits received for academic rigor courses must be selected from one or more of the categories below:
 - a. Advanced math, such as advanced algebra and trigonometry, math III, taken at the high school, or an equivalent or higher course taken for degree level credit at an Eligible Postsecondary Institution; or
 - b. Advanced science, such as chemistry, physics, biology II, and certain computer science courses taken at the high school level, or an equivalent or higher course taken for degree level credit at an Eligible Postsecondary Institution; or
 - c. Foreign language courses taken at the high school, or taken for degree level credit at an Eligible Postsecondary Institution; or
 - d. Advanced Placement, International Baccalaureate or degree level Dual Credit Enrollment courses in Core subjects.
5. Students that graduate from an Eligible High School, including Home Study students who receive a diploma and transcript from an Accredited High School Program, must meet rigor requirements.
6. The rigor requirement does not extend to students who:
 - a. Complete a Home Study Program that does not result in a diploma and transcript from an Accredited High School Program; nor
 - b. Graduate from a high school that is not an Eligible High School; nor
 - c. Receive a diploma pursuant to a petition to the local school board in accordance to O.C.G.A. § 20-2-281.1.
7. Home Study students who graduate from an Accredited High School Program and submit a transcript from the Accredited High School Program for evaluation for purposes of HOPE Scholarship eligibility must satisfy the same Academic Rigor requirements as a graduate from an Eligible High School.

205.3. First-Tier Academic Requirements.

1. Beginning with the High School Graduating Class of 2012 students must graduate from an Eligible High School with a minimum of a 3.00 Calculated HOPE GPA on a 4.00 scale, in order to meet the academic requirements as a HOPE Scholar for the HOPE Scholarship at the First-Tier.

- a. Each grade earned for attempted coursework in English, mathematics, science, social studies and foreign language during the student's 9th, 10th, 11th and 12th grade year that could, according to Georgia Department of Education classification, be used to satisfy a Core curriculum graduation requirement must be equated to a grade on a 4.00 scale, such that a grade of "A" equals 4.00, "B" equals 3.00, "C" equals 2.00, "D" equals 1.00, and "F" equals 0.
2. Beginning with the High School Graduating Class of 2007, through the High School Graduating Class of 2011, students meeting the college preparatory curriculum track requirements must graduate from an Eligible High School with a minimum of a 3.00 Calculated HOPE GPA on a 4.00 scale, in order to meet the academic requirements as a HOPE Scholar for the HOPE Scholarship at the First-Tier.
 - a. Each grade earned for attempted coursework in English, mathematics, science, social studies, and foreign language, that could, according to Georgia Department of Education classification, be used to satisfy a Core curriculum graduation requirement for the college preparatory diploma, must be equated to a grade on a 4.00 scale, such that a grade of "A" equals 4.00, "B" equals 3.00, "C" equals 2.00, "D" equals 1.00, and "F" equals 0.
3. Beginning with the High School Graduating Class of 2007, through the High School Graduating Class of 2011, students meeting the career/technology curriculum track requirements must graduate from an Eligible High School with a minimum of a 3.20 Calculated HOPE GPA on a 4.00 scale, in order to meet the academic requirements as a HOPE Scholar for the HOPE Scholarship at the First-Tier.
 - a. Each grade earned for attempted coursework in English, mathematics, science, and social studies that could, according to Georgia Department of Education classification, be used to satisfy a Core curriculum graduation requirement for the career/technology diploma, must be equated to a grade on a 4.00 scale, such that a grade of "A" equals 4.00, "B" equals 3.00, "C" equals 2.00, "D" equals 1.0, and "F" equals 0.
4. Students who receive a diploma and transcript from an Accredited High School Program, must meet rigor requirements. The rigor requirement does not extend to students completing a Home Study program who have not received a diploma and transcript from an Accredited High School Program, graduating from a high school that is not an Eligible High School, or receiving a diploma pursuant to a petition to the local school board in accordance to O.C.G.A. §20- 2-281.
5. A Home Study student not graduating from an Accredited High School Program, or a graduate from high school that is not Eligible High School, or a student who earned a High School Equivalency diploma that was awarded by TCSG, may only obtain academic HOPE Scholarship eligibility for the First- Tier retroactively or through the 75th percentile qualification.

- a. Students that graduate from an Eligible High School, may only obtain academic HOPE Scholarship eligibility for the First-Tier as set forth in section 205.3.

205.4. First-Tier Academic Requirements: Retroactive Eligibility.

1. A student may receive a retroactive HOPE Scholarship payment for the First- Tier if such student earns at least a 3.00 Postsecondary Calculated HOPE GPA after having accumulated 30 semester or 45 quarter Attempted- Hours of Degree credit (not including any Degree credit attempted prior to graduation or home study completion) and meets all other HOPE Scholarship requirements, if such student:
 - a. Graduated from a high school in 1997 or later that is not an Eligible High School; or
 - b. Completed a Home Study program in 1997 or later.
2. In order for such student to be eligible for the HOPE Scholarship retroactively for the First-Tier, the student must have met Georgia Residency requirements at the time he or she graduated from the high school that was not an Eligible High School or completed the Home Study requirements.
3. The student must request an eligibility determination by submitting a request and all supporting official transcripts to GSFC prior to the last day of the term following the term (excluding Summer term) in which 30 semester or 45 quarter hours were attempted.
4. Funds will not be paid retroactively for coursework taken prior to a student's petition to receive a diploma pursuant to O.C.G.A. 20-2-281.1.

205.5. First-Tier Academic Requirements: 75th Percentile Eligibility.

1. A student who earned at least a 75th percentile score from a single National Administration of the Scholastic Aptitude Test (SAT) or a single National or State/District Administration of the American College Test (ACT), taken by the time of graduation from a High School Program, meets the academic requirements of HOPE Scholarship at the First-Tier, if such student:
 - a. Graduated from a high school that is not an Eligible High School; or
 - b. Completed a Home Study program; or
 - c. Earned a High School Equivalency diploma that was awarded by TCSG.
2. Students that graduate from an Eligible High School, may only obtain academic HOPE Scholarship eligibility for the First-Tier as set forth in *Section 205.3*.

3. In order for such student to be eligible for the HOPE Scholarship at the First- Tier, the student must have met Georgia Residency requirements at the time he or she graduated from high school, completed the Home Study requirements or earned a High School Equivalency diploma.
4. The student must request an eligibility determination by submitting a request and official SAT or ACT test scores, from a single National or State/District Administration, to GSFC prior to the last day of the term in which 30 semester or 45 quarter were attempted.

205.6. First-Tier Academic Checkpoints.

1. A First-Tier student may receive HOPE Scholarship payment through the school term in which he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours, unless such student first reaches an End-of-Spring Checkpoint or Three-Term Checkpoint with less than a 3.00 Postsecondary Calculated HOPE GPA.
2. A First-Tier student Enrolled Full-Time during at least one term must have a Postsecondary Calculated HOPE GPA of at least a 3.00 at the end of Spring term (End-of-Spring Checkpoint), in order to continue eligibility beyond Spring term.
3. A First-Tier student, who received HOPE Scholarship funds and was Enrolled less than Full-Time for each of his or her first three school terms must have a Postsecondary Calculated HOPE GPA of at least a 3.00 at the end of his or her third term (Three-Term Checkpoint), in order to continue eligibility beyond the third term. If a student has a 3.00 at the Three-Term Checkpoint, the student is eligible to continue receiving the HOPE Scholarship at the First-Tier until such student has accumulated 30 semester or 45 quarter Attempted-Hours or reaches the next End-of-Spring Checkpoint, whichever occurs first.
4. A First-Tier student who was Enrolled less than Full-Time per term during his or her first two terms, but Full-Time during his or her third term and the third term is after the End-of-Spring Checkpoint, is eligible to continue receiving the HOPE Scholarship at the First-Tier until such student has accumulated 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or reaches the next End-of-Spring Checkpoint, whichever occurs first.

205.7. Second-Tier Academic Requirements.

1. A student must have accumulated at least 30 semester or 45 quarter Attempted-Hours, but less than 60 semester or 90 quarter Attempted-Hours, and have earned a Postsecondary Calculated HOPE GPA of at least 3.00 at the end of the school term in which he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), to remain academically eligible for HOPE Scholarship payment for the Second- Tier.

2. Eligibility at the First-Tier is not a requirement or prerequisite for eligibility at the Second-Tier. A student who was not previously eligible for the HOPE Scholarship may enter the HOPE Scholarship Program at the Second-Tier Checkpoint, if he or she meets all other HOPE Scholarship requirements.
3. A student who lost his or her HOPE Scholarship eligibility as a First-Tier recipient for failure to earn a 3.00 Postsecondary Calculated HOPE GPA at the End-of-Spring Checkpoint or at his or her Three-Term Checkpoint and who has not yet reached the Second-Tier Checkpoint, can regain HOPE Scholarship eligibility for the Second-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.00 at the end of the school term he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint); and
 - b. Such student meets all other HOPE Scholarship requirements; and
 - c. The student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

205.8. Second-Tier Academic Checkpoints.

1. A student is eligible to continue receiving the HOPE Scholarship at the Second-Tier through the school term he or she has accumulated 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint), unless such student first reaches an End-of-Spring Checkpoint with a Postsecondary Calculated HOPE GPA less than a 3.00.
2. A student who earned a Postsecondary Calculated HOPE GPA of at least a 3.00 at the end of the school term in which he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint) can gain HOPE Scholarship eligibility, at any time, during the Second-Tier, even though he or she did not meet one or more of the other eligibility requirements at the time he or she reached the Second-Tier Checkpoint. Such student must meet all of the eligibility requirements in order that he or she may receive HOPE payment for a specific school term.

205.9. Third-Tier Academic Requirements.

1. A student must have accumulated at least 60 semester or 90 quarter Attempted-Hours, but less than 90 semester or 135 quarter Attempted-Hours, and have earned a Postsecondary Calculated HOPE GPA of at least 3.00 at the end of the school term in which he or she has accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint), to remain academically eligible for HOPE Scholarship payment for the Third-Tier.
2. Eligibility at the First-Tier and/or Second-Tier is not a requirement or prerequisite for eligibility at the Third-Tier. A student who was not previously eligible for HOPE Scholarship may enter the HOPE Scholarship Program at the Third-Tier Checkpoint, if he or she meets all other HOPE Scholarship requirements.

3. A student who lost his or her HOPE Scholarship eligibility as a First-Tier recipient, for failure to earn at least a 3.00 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or at the End-of-Spring Checkpoint, or at his or her Three-Term Checkpoint can regain HOPE Scholarship eligibility for the Third-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.00 at the end of the term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint); and
 - b. Such student meets all other HOPE Scholarship requirements; and
 - c. The student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.
4. A student who lost his or her HOPE Scholarship eligibility as a Second-Tier recipient, for failure to earn at least a 3.00 Postsecondary Calculated HOPE GPA at the End-of-Spring Checkpoint and who has not yet reached the Third-Tier Checkpoint, can regain HOPE Scholarship eligibility for the Third-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.00 at the end of the term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint); and
 - b. Such student meets all other HOPE Scholarship requirements; and
 - c. The student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

205.10. Third-Tier Academic Checkpoints.

1. A student is eligible to continue receiving the HOPE Scholarship at the Third-Tier through the school term he or she has accumulated 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), unless such student first reaches an End-of-Spring Checkpoint with less than a Postsecondary Calculated HOPE GPA of 3.00.
2. A student who earned a Postsecondary Calculated HOPE GPA of at least a 3.00 at the end of the school term in which he or she has accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint) can gain HOPE Scholarship eligibility, at any time, during the Third-Tier, even though he or she did not meet one or more of the other eligibility requirements at the time he or she reached the Third-Tier Checkpoint. Such student must meet all of the eligibility requirements in order to receive HOPE payment for a specific school term.

205.11. Fourth-Tier Academic Requirements.

1. A student must have accumulated at least 90 semester or 135 quarter Attempted-Hours, but not more than 127 semester or 190 quarter Attempted- Hours and have earned a Postsecondary Calculated HOPE GPA of at least 3.00 at the end of the school term in which he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), to remain academically eligible for HOPE Scholarship payment at the Fourth-Tier.
2. Eligibility at the First-Tier, Second-Tier, and/or Third-Tier is not a requirement or prerequisite for eligibility at the Fourth-Tier. A student who was not previously eligible for the HOPE Scholarship may enter the HOPE Scholarship Program at the Fourth-Tier Checkpoint, if he or she meets all other HOPE Scholarship requirements.
3. A student who lost his or her HOPE Scholarship eligibility as a First-Tier recipient, for failure to earn at least a 3.00 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or at the End-of-Spring Checkpoint, or at his or her Three-Term Checkpoint can regain HOPE Scholarship eligibility for the Fourth-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.00 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint); and
 - b. Such student meets all other HOPE Scholarship requirements; and
 - c. The student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.
4. A student who lost his or her HOPE Scholarship eligibility as a Second-Tier recipient, for failure to earn at least a 3.00 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint) or at the End- of-Spring Checkpoint, can regain HOPE Scholarship eligibility for the Fourth- Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.00 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint); and
 - b. Such student meets all other HOPE Scholarship requirements; and
 - c. The student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.
5. A HOPE Scholarship recipient at the Third-Tier, who failed to earn at least a 3.00 Postsecondary Calculated HOPE GPA at an End-of-Spring Checkpoint and who has not yet reached the Fourth-Tier Checkpoint, can regain HOPE Scholarship eligibility if:

- a. His or her Postsecondary Calculated HOPE GPA is at least a 3.00 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint); and
 - b. Such student meets all other HOPE Scholarship requirements; and
 - c. The student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.
6. A HOPE Scholarship recipient at the Third-Tier, who failed to earn at least a 3.00 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 90 semester or 135 quarter Attempted- Hours (Fourth-Tier Checkpoint), cannot regain HOPE Scholarship eligibility.
 7. A student who earned a Postsecondary Calculated HOPE GPA of at least a 3.00 at the end of the school term in which he or she has accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint) can gain HOPE Scholarship eligibility, at any time, during the Fourth-Tier, even though he or she did not meet one or more of the other eligibility requirements at the time he or she reached the Fourth-Tier Checkpoint. Such student must meet all of the eligibility requirements in order that he or she may receive HOPE payment for a specific school term.
 8. A student is ineligible to continue receiving the HOPE Scholarship once he or she has accumulated 127 semester or 190 quarter Attempted-Hours or has accumulated 127 semester or 190 quarter Combined-Paid Hours, or has earned a Baccalaureate Degree, whichever occurs first.
 9. A student who failed to earn a Postsecondary Calculated HOPE GPA of at least a 3.00 at an End-of-Spring Checkpoint, after the 90 semester or 135 quarter Attempted-Hours Checkpoint, becomes permanently ineligible.

205.12. STEM Courses.

1. Effective Fall term 2017, when calculating the HOPE and Zell Miller Scholarship *postsecondary* GPA, an additional weight of 0.5 will be added to grades of B, C and D for approved Degree level science, technology, engineering and mathematics (STEM) courses taken at an Eligible Postsecondary Institution, Fall term 2017 or later. The approved STEM courses will be listed in the STEM Weighted Course Directory.
 - a. The Eligible Postsecondary Institution to which a student transfers must refer to the STEM Weighted Course Directory to identify the approved STEM courses to be given the additional weight and included in the HOPE and Zell Miller GPA calculation for continued eligibility.

2. Courses not included in the STEM Weighted Course Directory, or completed prior to Fall term 2017, or taken at an ineligible postsecondary institution will not receive the additional weight.
3. The STEM Weighted Course Directory is updated annually and will be available on GAfutures.org by February 1.
4. The STEM Weighted Course Council is responsible for approving all additions, deletions, and changes to the directory. The council consist of at least one (1) representative from University System of Georgia, Technical College System of Georgia, Georgia Independent College Association, Georgia Student Finance Commission, Georgia Department of Economic Development, Governor's Office of Planning and Budget, and a member of the Georgia General Assembly.
 - a. Institutions requesting an addition or deletion to the STEM Weighted Course Directory shall submit such changes to their representative on the council (USG, TCSG, or GICA for all private Eligible Postsecondary Institutions) no later than October 31.
 - b. Changes to the STEM Weighted Course Directory may only occur once per year.
 - c. The council may add or remove critical shortage fields and the associated STEM Weighted courses as it deems appropriate.
 - d. USG will convene the annual STEM Weighted Course Council meeting in December to finalize changes for the following academic year.

205.13. Grade Changes and Incompletes.

1. A student who obtains a grade change from his or her Eligible Postsecondary Institution is eligible to have his or her Postsecondary Calculated HOPE GPA recalculated for purposes of HOPE Scholarship eligibility at the End- of-Spring Checkpoint, Three-Term Checkpoint, or an Attempted-Hours Checkpoint.
 - a. A student previously denied HOPE Scholarship payment because his or her Postsecondary Calculated HOPE GPA was less than a 3.00 at one of the Checkpoints is eligible for retroactive HOPE Scholarship payment if the grade change results in a Postsecondary Calculated HOPE GPA of a 3.00 or higher.
2. Degree hours appearing on a student's transcript as "incomplete," and all other situations in which grades are temporarily unavailable (i.e., overlapping terms, late grades, late transcripts from Transient coursework, etc.) must be counted when determining the student's number of Attempted-Hours, but are not included in the calculation of Quality Points when determining the Postsecondary Calculated HOPE GPA.

- a. A student's HOPE Scholarship eligibility should be evaluated at each Checkpoint, based on the Postsecondary Calculated HOPE GPA at that Checkpoint.
3. If the student was denied, but later becomes eligible when the grade is reported, the student is eligible to receive HOPE Scholarship payment retroactively. The request for retroactive payment must be submitted to GSFC by the last day of the term following the term in which the grade change occurs.
 - a. If the student was awarded at a Checkpoint but later becomes ineligible when the incomplete grade is removed, then HOPE Scholarship awards must be canceled until the next Checkpoint and the student and GSFC must be notified by the Eligible Postsecondary Institution that the student owes a repayment of the HOPE Scholarship funds.
 - b. The student owes the repayment even if it was awarded in a previous award year. The Eligible Postsecondary Institution is held harmless by GSFC for such repayment.

205.14. Attempted-Hours Limit.

1. A student is ineligible to receive HOPE Scholarship payment once he or she reaches the Attempted-Hours limit of 127 semester or 190 quarter hours.
2. Students Enrolled in specific Undergraduate Degree programs of study designed to require more than 127 semester or 190 quarter hours of coursework for graduation or First Professional Degree Programs are eligible for HOPE Scholarship payment for a maximum of 127 semester or 190 quarter Attempted-Hours.

205.15. Attempted-Hours Calculation.

1. The following postsecondary coursework is not counted in the Attempted- Hours calculation:
 - a. Credit hours for any coursework attempted by a student prior to high school graduation, Home Study completion or High School Equivalency diploma date; nor
 - i. Coursework taken through the Dual Enrollment Program Fall term 2011 or later is not counted in the Attempted-Hours calculation.
 - b. Continuing Education and Audit credit hours; nor
 - c. Credit hours earned by examination or prior work experience; nor

- d. Credit hours earned as a result of military training or experience unless such hours were granted or accepted as Degree credit by any postsecondary institution that is separate and independent of the military; nor
 - e. Credit hours earned for Learning Support in Fall term 2011 or later, or accepted for Degree credit in Fall term 2011 or later.
2. The following coursework is counted in the Attempted-Hours calculation:
- a. Degree credit hours, regardless of whether:
 - i. The course was completed, the hours were earned, or a letter grade was recorded on the student's official academic transcript.
 - ii. The student received payment for those hours from the HOPE Program.
 - iii. Those hours were taken at a postsecondary institution outside the State of Georgia or at a postsecondary institution in a foreign country.
 - iv. Those hours were taken at an unaccredited postsecondary institution.
 - b. Credit hours attempted as part of a Certificate or Diploma program of study if any postsecondary institution ever accepted those hours as credit hours toward a Degree.
 - c. A block of credit hours for coursework taken in the Certificate or Diploma program, if the student is transferring from a Certificate or Diploma program into an Associate of Applied Science (AAS) or Bachelor of Applied Science (BAS) Degree program. In order to determine the number of Attempted- Hours, the value of the block of credit hours is based on the number of hours granted as credit.
 - d. Courses that appear on a student's transcript with no credit hours, assign the credit hours listed in the postsecondary institution's official college catalog, if no credit hours are listed, assign three semester or five quarter credit hours.
 - e. Credit hours earned for Learning Support coursework prior to Fall term 2011, if such coursework was attempted by the student while Enrolled in a Degree program or while Enrolled in a Diploma or Certificate program and the coursework was accepted as credit toward the student's Degree program prior to Fall term 2011.
 - f. Degree credit hours from the point the student stopped pursuing a high school diploma if the student did not earn a high school diploma, complete a Home Study program or earned a High School Equivalency diploma, and is otherwise eligible to enter the HOPE Scholarship at the Second-Tier or higher.

- g. Credit hours for coursework attempted prior to high school graduation including Joint Enrollment, Dual Credit Enrollment, Advanced Placement, International Baccalaureate coursework, which are accepted as Degree credit when the student first enters an Eligible Postsecondary Institution at the First-Tier must be counted as Attempted-Hours, excluding grades if:
 - i. The student did not qualify for the HOPE Scholarship as an entering freshman based solely upon his or her HOPE GPA; and
 - ii. The coursework was attempted Fall term 2008 through Summer term 2011.

205.16. Combined Paid-Hours Limit.

- 1. A student is ineligible to receive HOPE Scholarship payment once he or she reaches the Combined Paid-Hours limit of 127 semester or 190 quarter hours from any combination of Zell Miller or HOPE Scholarship Paid-Hours, plus HOPE or Zell Miller Grant Paid-Hours, plus Accel Program Paid-Hours (through FY2011).
 - a. A maximum of 12 semester or quarter hours per term is counted toward the Paid-Hours limit, even if actual enrollment is greater than 12 hours.

205.17. Attainment of a Baccalaureate Degree.

- 1. Regardless of the number of Attempted-Hours or Combined Paid-Hours a student has accumulated, such student is ineligible for HOPE Scholarship payment if he or she has attained a Baccalaureate Degree, at any time, from any postsecondary institution, including the equivalent of a Baccalaureate Degree from a foreign institution as indicated by the foreign academic transcript and/or foreign academic transcript translation.

205.18. Expiration of Eligibility Limits.

205.18.1 Ten Year Limit.

1. A student who received his or her first HOPE Scholarship payment for Summer term 2019 or later, and meets all other eligibility requirements for the HOPE Scholarship, may receive the HOPE Scholarship until June 30 following the completion of the tenth full year after the first one of the following events has occurred:
 - a. His or her high school graduation date; or
 - b. His or her Home Study completion date; or
 - c. His or her High School Equivalency diploma date; or
 - d. His or her petition date where his or her diploma was received pursuant to the local school board in accordance with O.C.G.A. § 20-2-281.
 - i. A student is not eligible for payment for any term prior to his or her petition date where his or her diploma was received.
2. A student who is Enrolled during a term which begins prior to his or her expiration of eligibility date and ends after his or her expiration of eligibility date may be paid for the term.

205.18.2. Seven Year Limit.

1. A student who received his or her first HOPE Scholarship payment between Summer term 2011 and Spring term 2019, and meets all other eligibility requirements for the HOPE Scholarship, may receive the HOPE Scholarship until June 30 following the completion of the seventh full year after the first of one of the following events has occurred:
 - a. His or her high school graduation date; or
 - b. His or her Home Study completion date; or
 - c. His or her High School Equivalency diploma date; or
 - d. His or her petition date where his or her diploma was received pursuant to the local school board in accordance with O.C.G.A. § 20-2-281.
 - i. A student is not eligible for payment for any term prior to his or her petition date where his or her diploma was received.
2. A student who is Enrolled during a term which begins prior to his or her expiration of eligibility date and ends after his or her expiration of eligibility date may be paid for the term.

205.18.3. Military Service Extension Request.

1. A student that serves on active duty in the United States Armed Forces during the seven or ten year period after his or her high school graduation, Home Study completion or High School Equivalency diploma date may request that active duty period of his or her military service be added to the eligibility limit.

205.18.4. ADA Limited Extension Request.

1. Students with a disability, as defined in the federal Americans with Disabilities Act, 42 U.S.C. Section 12102, which has prevented full-time enrollment while pursuing an undergraduate Degree, may request a limited extension from the applicable eligibility limit for additional time. In order for a student to submit an ADA limited extension request, the following criteria must be met:
 - a. Have a seven year or ten year eligibility limit;
 - b. Have not reached or exceeded the Attempted-Hours or Paid Hours limits;
 - c. Have received the HOPE Scholarship and meets all eligibility requirements;
 - d. Have been enrolled at a postsecondary institution each academic year unless there is a documented long-term illness;
 - e. Each term of enrollment is less than full time (12 hours or more) due to the disability;
 - f. Provide proper documentation by a medical professional indicating the date the disability began and the impact on the student's college academics and enrollment.

205.18.5. No Expiration Limit.

1. A student who received his or her first HOPE Scholarship payment prior to Summer term 2011 (FY2012) is not subject to the Expiration of Eligibility Limits.

205.19. Eligibility after Losing HOPE Scholarship at Two Checkpoints.

1. A HOPE Scholarship recipient who has lost HOPE Scholarship Eligibility at two Checkpoints since Fall term 2011, cannot regain Eligibility. A student must have been receiving HOPE to be considered as having lost HOPE.

206. Eligible and Ineligible Coursework.

206.1. Transient Coursework.

1. A Transient student is eligible to receive HOPE Scholarship payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be Eligible Postsecondary Institutions.
2. The Host Institution awards HOPE Scholarship funds to the Transient student based on certification of eligibility from the Home Institution.
 - a. The Home Institution is responsible for verifying the eligibility of their Transient students. The HOPE Scholarship award must be the amount the student would normally receive at the Host Institution if he or she was a regular student.
 - b. The Host Institution must report HOPE Scholarship payment for Transient students to GSFC in the same manner it reports HOPE Scholarship payments for their regular students.
 - i. Upon the student's return to the Home Institution, the Home Institution must receive from the Host Institution information necessary for the Home Institution to determine continued HOPE Scholarship eligibility.
3. The Home Institution is liable for the return of funds the student receives at the Host Institution if the Home Institution erroneously certifies the student's eligibility to the Host Institution.

206.2. Distance Learning Coursework.

1. A student participating in Distance Learning coursework is eligible to receive HOPE Scholarship payment if all other eligibility requirements are met.

206.3. Study Away Coursework.

1. A student Enrolled in a Matriculated status at an Eligible Postsecondary Institution is eligible to receive HOPE Scholarship payment while participating in a Study Away program.
2. The Home Institution must have a written agreement with the institution (foreign or non-Eligible Postsecondary Institution) or a single written arrangement with a study-abroad organization to represent an agreement between the Home Institution and the institution at which a student is participating in a Study Away program.
3. A student's Home Institution must approve the Study Away program courses for credit toward the student's Degree program prior to the student's departure.

4. The HOPE Scholarship award must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted.
 - a. Where the actual tuition at the Host Institution is less than the HOPE Scholarship award rate for the Home Institution, the HOPE Award shall not exceed the actual tuition rate.
5. The Home Institution must maintain documentation of the student's actual tuition charges for the Study Away program at the Host Institution.
6. At the time of disbursement, a current enrollment verification for the student from the Host Institution indicating the courses and number of hours must be on file with the Home Institution.
7. The HOPE Scholarship payment must take place through the Home Institution. The earned HOPE award may be refunded to the student, if the student has prepaid the Study Away institution prior to the HOPE disbursement.
8. The Eligible Postsecondary Institution must have on file the student's written or electronic permission to have any specific fees withheld from the HOPE disbursement.
9. If the student is participating in a Study Away program administered by another Eligible Postsecondary Institution, then the Transient student process described in *Section 206.1.* of these regulations must be followed.

206.4. First Professional Degree.

1. A student enrolled in a First Professional Degree program is eligible to receive HOPE Scholarship payment until such student has attempted 127 semester or 190 quarter hours.

206.5. Joint Enrollment and Dual Credit Enrollment Coursework.

1. A student is ineligible for HOPE Scholarship payment for Degree coursework attempted while participating in Joint Enrollment or Dual Credit Enrollment.

206.6. Learning Support Coursework.

1. A student seeking a Degree, who Enrolls in Learning Support coursework, is ineligible for HOPE Scholarship payment for such coursework. Such Learning Support credit hours must not count as Attempted-Hours and toward the Combined Paid-Hours limit, except as specified in *Section 205.15.2.g.*

206.7. Coursework Exemptions.

1. A student is ineligible to receive HOPE Scholarship payment for coursework that was exempted or given credit by examination, testing, training, or experience.

206.8. Continuing Education and Audit Coursework.

1. A student is ineligible to receive HOPE Scholarship payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework, and such coursework is not counted as Attempted-Hours.

206.9. Total Withdrawal from Coursework.

1. A student is ineligible for HOPE Scholarship payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as "W" or any other code or type of identification (refer to *Section 210.1.1.a.*). Such coursework is not counted as Attempted-Hours.

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207. Student Application Requirements.

207.1. Application Forms.

1. In order to be considered for the HOPE Scholarship, a student must complete one of the following application forms:
 - a. GSFAPP; or
 - b. Current year FAFSA.
 - i. A student who applies for the HOPE Scholarship by completing and submitting a FAFSA must complete and submit a new FAFSA for each Award Year.
2. In addition to one of these applications, an Eligible Postsecondary Institution may require students to complete the institution's application for student financial aid or other forms to provide supplemental information for the purpose of determining HOPE Scholarship eligibility.
3. Once a student has submitted a GSFAPP and it has been accepted on GSFC's system as a valid application, it will remain on GSFC's system as a valid application for 120 consecutive months following the application's approval date.
 - a. The student's application will remain valid during the 120 month period, regardless of whether or not an Eligible Postsecondary Institution submits a HOPE invoice to GSFC on behalf of the student during the 120 month period. Upon conclusion of the 120 month period, the student's application will expire.
 - b. Once an application has expired, the student will be required to submit a new application in order for a HOPE invoice to be processed for the student by GSFC.
 - c. If during the original application's 120 month period, the student submits to GSFC a new application for HOPE, or an application for a program other than HOPE, both applications will remain valid for 120 consecutive months following the second application's approval date.
 - d. The above stipulations apply to all GSFAPP accepted as valid applications on GSFC's system, including such applications that were submitted to and accepted by GSFC prior to the 2008-2009 Award Year.

207.2. Application Deadline Date.

1. A student must file a GSFAPP or FAFSA on or before the last day of the school term (semester or quarter) or the student's withdrawal date, whichever occurs first, in order to be paid for that school term.

- a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later. Supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility.
2. The application deadline date for a student who is seeking a retroactive HOPE Scholarship payment, (refer to *Section 205.2.14.*), is extended to the school term immediately following the school term in which he or she attempted 30 semester or 45 quarter hours.
 - a. Such student must file an application on or before the last day of the school term that immediately follows the school term in which he or she attempted 30 semester or 45 quarter hours, or the student's withdrawal date, whichever occurs first.
3. The application deadline date for a student who is seeking HOPE Scholarship payment retroactively due to a grade change or a grade being reported for degree hours previously appearing on a student's transcript as incomplete (refer to *Section 205.5. or 205.6.*) is extended to the school term immediately following the school term in which the grade was changed, or a grade was reported for degree hours previously appearing on a student's transcript as incomplete.
 - a. Such student must file an application on or before the last day of the school term that immediately follows the school term in which the grade was changed or reported for degree hours, or the student's withdrawal date, whichever occurs first.

207.3. Application for Subsequent Years.

1. It is not mandatory, except as provided for in *Section 207.1.1.b.i.* of these regulations, for a student to complete a new application for the HOPE Scholarship for each Award Year. However, Eligible Postsecondary Institutions may have separate application requirements.

208. Award Requirements.**208.1. HOPE Awards.**

1. Where the actual Tuition rate charged for a course is less than the standard undergraduate rate, the HOPE Award shall not exceed the approved HOPE award amount, per hour for the institution the actual Tuition rate charged.
2. No award is to exceed the approved HOPE per hour award amount.

208.2. Full-Time Awards.

1. The HOPE Scholarship award amounts per semester or quarter for a Full-Time student are provided below.
 - a. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term.
 - b. A student who meets all eligibility requirements may receive payment for three semesters or four quarters for the Award Year.

Term	FY	Semester System	Quarter System
Summer 2024	25	\$2,496.00	\$1,664.00
Fall 2024	25	\$2,496.00	\$1,664.00
Winter 2025	25	Not Applicable	\$1,664.00
Spring 2025	25	\$2,496.00	\$1,664.00
Summer 2025	26	\$2,496.00	\$1,664.00

208.3. Half-Time Awards.

1. The HOPE Scholarship award amounts per semester or quarter for a Half-Time student are provided below.
 - a. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term.
 - b. A student who meets all eligibility requirements may receive payment for three semesters or four quarters for the Award Year.

Term	FY	Semester System	Quarter System
Summer 2024	25	\$1,248.00	\$832.00
Fall 2024	25	\$1,248.00	\$832.00
Winter 2025	25	Not Applicable	\$832.00
Spring 2025	25	\$1,248.00	\$832.00
Summer 2025	26	\$1,248.00	\$832.00

208.4. Per Credit Hour Awards.

1. For a student Enrolled at least Half-Time (6 to 11 hours) during a term in which he or she reaches the Attempted-Hours and/or the Combined Paid-Hours limit such student can receive payment only for hours up to the limit.

Hours to Reach Limit	Semester System	Quarter System
1-5	\$ 208.00 per hour	\$ 139.00 per hour
6-11	\$ 1,248.00	\$ 832.00

2. For a student Enrolled Full-Time (12 or more hours) during a term in which he or she reaches the Attempted-Hours and/or the Combined Paid-Hours limit such student can receive payment only for hours up to the limit.

Hours to Reach Limit	Semester System	Quarter System
1-11	\$208.00 per hour	\$139.00 per hour

3. For a student who is enrolled at two or more Eligible Postsecondary Institutions during a single term, the student can receive payment only for hours up to the term limit of 15.

	Semester System	Quarter System
Per Credit Hour	\$208.00	\$139.00

208.5. Awards Per School Term.

1. The HOPE Scholarship is available to students for the standard school terms of Summer, Fall, and Spring semesters or Summer, Fall, Winter, and Spring quarters.
 - a. An Eligible Postsecondary Institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter.
 - b. An Eligible Postsecondary Institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student may be awarded HOPE Scholarship funds for a maximum of three semesters or four quarters per Award Year.

208.6. Student Notification of Award.

1. An Eligible Postsecondary Institution must notify each HOPE Scholarship recipient of the amount of HOPE funds he or she is awarded for the Award Year and identify such funds as a HOPE Scholarship award.

2. A student who wishes to decline a HOPE Scholarship award must do so actively. The Eligible Postsecondary Institution must maintain a record of the student's notification to the Eligible Postsecondary Institution that he or she is declining the award.
 - a. A student's decision to decline a HOPE Scholarship award becomes final and irrevocable on the last day of the term for which the HOPE Scholarship award was made.

208.7. Effect of Other Aid on HOPE Scholarship Eligibility.

1. HOPE Scholarship funds can only be applied to Tuition, not other expenses such as room and board.
2. If a student is receiving student aid from a source other than the HOPE Scholarship and such aid is required by the donor to be applied to the student's Tuition charges, and such award plus the HOPE Scholarship funds are equal to or greater than the student's Tuition charges, then the student's HOPE Scholarship award must be reduced, so that the total aid is equal to the Tuition charges.
3. A student's HOPE Scholarship award amount is not reduced if the student is receiving aid that is applied to educational expenses other than Tuition; even if the student's total aid exceeds the Cost of Attendance budget.

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209. College HOPE Eligibility Calculation Service (CHECS) Reporting Requirements.

209.1. CHECS.

1. Effective Fall term 2018 (FY2019), all Eligible Postsecondary Institutions must comply with the College HOPE Eligibility Calculation Service (CHECS) requirements, including timely submission of all student academic transcript data, for HOPE and Zell Miller Scholarship and Grant GPA calculation, checkpoint and hours.
2. All Eligible Postsecondary Institutions must utilize the College HOPE Eligibility Calculation Service (CHECS) eligibility determinations beginning Winter quarter and Spring semester 2019 (FY2019) in regard to student award determinations and disbursements.
 - a. CHECS calculation records are subject to change and may not have the complete academic transcript data. Calculations are dependent upon Eligible Postsecondary Institutions submitting accurate and complete transcript data.
 - b. Eligible Postsecondary Institutions are required to report cases of incomplete or conflicting academic information and should not award based on data identified as conflicting or incomplete.
3. Eligible Postsecondary Institutions are required to obtain academic transcripts from institutions a student has attended previously with degree level coursework or coursework accepted for degree credit.
4. The Eligible Postsecondary Institution must submit, for the ending term, transcript data records that result in CHECS calculations prior to the upcoming term invoices being paid.
 - a. Invoices for any term will be held in a pending status until transcript data records for the preceding term are submitted and CHECS calculations are processed.
 - b. An invoice submitted and paid for a student that is later found to be academically ineligible due to updated transcript data records submitted in CHECS will be classified as academically ineligible. The disbursed funds for an academically ineligible invoice must be returned to GSFC or the invoice must be canceled.
5. Academic transcript data must be submitted regardless of any unpaid balance owed to the Postsecondary Institution.

210. Invoicing Requirements.

210.1. Submission of Invoices.

1. Invoices must be submitted, through GSFC's online invoicing system, Scholarship Up-to-date Records for Electronic Reporting (SURFER), processed, and approved by GSFC by the Invoicing Deadline Date as established by GSFC. Each invoice submitted by the Eligible Postsecondary Institution must include Enrolled-Hours, Paid-Hours, Learning Support and the student's program of study information, when applicable to the program.
 - a. In the event invoices are submitted to GSFC by Eligible Postsecondary Institutions after the Invoicing Deadline Date for a school term, GSFC may issue a notice of failure to meet the Invoicing Deadline Date to the President and/or governing body of the Eligible Postsecondary Institution and the invoices may not be honored.
2. Eligible Postsecondary Institutions may submit HOPE Scholarship invoices to GSFC as early as 15 calendar days prior to the first day of classes for the school term.
3. Invoices for any term will be held in a pending status until transcript data records for the preceding term are submitted and CHECS calculations are processed. The CHECS calculation is required to determine continued academic eligibility.
 - a. Effective Winter quarter and Spring semester 2019 (FY2019), the majority of transcript data records for Fall term 2018 (FY 2019) must be reported and CHECS calculations performed prior to Winter quarter or Spring semester 2019 (FY2019) invoices being paid.
4. Prior to the beginning of any Award Year and no later than June 30 of each year GSFC shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.
5. Invoices submitted after the Invoicing Deadline Date may be honored or paid if the failure to meet the date was because of:
 - a. The need for supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's eligibility; or
 - b. Late grades, late completions, grade changes; or
 - c. Other adjustments made to the student's official academic transcript that resulted in a change in eligibility, and the student met all other eligibility requirements prior to the deadline.
6. The President of GSFC has sole discretion in the determination of invoice deadlines and extensions. The decision of the President of GSFC shall be final.

210.2. Payment of Invoices.

1. HOPE Scholarship funds are paid to Eligible Postsecondary Institutions by electronic transfer of funds on behalf of eligible students each school term, upon submission to GSFC of a HOPE Scholarship invoice.

210.3. Tuition Payments.

1. Upon receipt of HOPE Scholarship payments from GSFC, the Eligible Postsecondary Institution must credit the amount of payment on behalf of an eligible student to the student's Tuition.

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211. Return of Funds Requirements.

211.1. Calculation of Return of Funds.

1. If a student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund, due to the adjustment of the tuition charges, a portion of such refund may need to be returned to the HOPE fund.
 - a. A student is ineligible for the HOPE Scholarship for coursework from which he or she totally withdrew, as long as such coursework does not appear on the student's academic transcript as a "W" or any other code or type of identification for such a withdrawal.
 - b. If the Eligible Postsecondary Institution invoiced GSFC prior to a student's total withdrawal, then the Eligible Postsecondary Institution must cancel the student's HOPE award for that term, through SURFER.
2. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Programs return of funds policy for any federal aid the student may have received.
 - a. To determine the refund due to HOPE, the Eligible Postsecondary Institution must apply the institution's refund policy, which may or may not be identical to the Federal Title IV Programs return of funds policy, to the student's original HOPE award for Tuition.
3. The Eligible Postsecondary Institution must determine the amount of the refund due back to the HOPE Program. The amount of the HOPE award not determined to be owed back to the HOPE Program is retained by the Eligible Postsecondary Institution to cover the Institution's cost for the portion of the school term that the student was enrolled.
 - a. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within forty-five (45) calendar days of the determination.
 - b. If the student only received HOPE funds, the Eligible Postsecondary Institution should return the funds determined to be owed to the HOPE Program within forty-five (45) calendar days of the refund determination.
 - i. The Eligible Postsecondary Institution should then collect the refund amount from the student.
 - ii. The student should not be reported with a refund due status to GSFC since the funds have been repaid to GSFC.

4. If the student received a combination of Federal Title IV Programs funds and HOPE funds, the Eligible Postsecondary Institution may not have sufficient funds on hand from the student's award disbursements to return to GSFC the refund owed to the HOPE Program, after applying the Federal Title IV Programs return of funds policy.
 - a. In this instance, the student is considered to have a refund due to GSFC and the Eligible Postsecondary Institution must report the student to GSFC with a refund due status.

211.2. Collection of Refunds.

1. A borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFC will notify the borrower that they are in default and GSFC intends to proceed with any of the remedies listed in this subsection. The borrower will be given 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

211.3. Emergency Military Duty.

1. A student who is a member of the United States Armed Forces, National Guard, or Military Reserve Forces receiving funds from the HOPE Scholarship Program who is called to emergency military duty during a school term that is already in progress should not have his or her HOPE Scholarship eligibility negatively impacted.
2. If the Eligible Postsecondary Institution the student attends allows the student to totally withdraw and receive a grade such as "WM" for "military withdrawal" or the Eligible Postsecondary Institution totally removes all grades for that term and corresponding credit hours from the student's records, the Eligible Postsecondary Institution should return the full amount of the HOPE Scholarship award to the HOPE account.
3. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the United States Armed Forces, as determined by the President of the Eligible Postsecondary Institution that such student is attending.

212. Reconciliation Requirements.

212.1. Term Reconciliation.

1. Eligible Postsecondary Institutions must conduct a Term Reconciliation by the end of each term. A Term Reconciliation consists of an official acknowledgement by an authorized school official, through Postsecondary Functions that the number of students submitted for payment, total invoiced, the number of invoices paid and total disbursed by GSFC to the Eligible Postsecondary Institution, according to Postsecondary Functions, is accurate on that date.
 - a. GSFC will not issue any state scholarship or grant funds for the following term until the Term Reconciliation is complete.
 - i. Invoices in an academically ineligible status must be addressed and fully resolved before term reconciliation can be completed.
 - b. Funds are not returned to GSFC as part of the Term Reconciliation process.

212.2. Fiscal Year End Reconciliation.

1. Eligible Postsecondary Institutions must conduct the Fiscal Year End Reconciliation consisting of an official acknowledgement by an authorized school official, through Postsecondary Functions verifying, student by student, the accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to the student's Enrolled-Hours, Paid-Hours, Learning Support, academic eligibility status as determined by the CHECS calculations, and program of study information, when applicable to the program.
 - a. Any pending rejected or academically ineligible invoices must be fully resolved prior to Fiscal Year End Reconciliation.
 - b. Reconciliation certification forms must be completed and submitted electronically, through Postsecondary Functions by July 15, immediately following the completion of the Fiscal Year for each State Program.
 - c. Return to GSFC any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
 - d. GSFC will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year Reconciliation process is complete.
 - e. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

213. Records Retention Requirements.

213.1. Length of Retention.

1. An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the HOPE Scholarship Program, including, but not limited to, individual student files for whichever is longer:
 - a. Three years after the Award Year in which the aid was awarded; or
 - b. For such other period as required by an applicable statute, rule, or regulation; or
 - c. Such other time as requested in writing by GSFC.

213.2. Documentation.

1. Documentation contained within an individual student file or record, which supports the original determination of a student's eligibility, must be retained by the Eligible Postsecondary Institution and available for review by GSFC on the Eligible Postsecondary Institution's campus, in Georgia, for at least three calendar years after the most recent Award Year for which the student received HOPE funds (refer to *Section 215*.).
2. Eligible Postsecondary Institutions are permitted to maintain these documents in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
 - a. Such documentation may include, but is not limited to, copies of permanent resident alien cards, Georgia state income tax returns, student financial aid applications and academic transcripts from previous institutions.
 - b. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the Eligible Postsecondary Institution's Student Financial Aid Office.
 - c. Documentation supporting a student's eligibility that is received and maintained by the Eligible Postsecondary Institution's admissions office, registrar's office, business office, and other administrative operations must be available to GSFC for the purpose of Compliance Reviews.
3. It is the Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing HOPE funds to the student.

213.3. Extended Retention.

1. An Eligible Postsecondary Institution may be required to retain student records involved in a Compliance Review, Audit, or investigation for more than the three-year retention period set forth in *Section 213.1*. If the three-year retention period expires before the issue in question is resolved, the Eligible Postsecondary Institution must continue to retain all associated records until a resolution is reached.

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214. Administrative Reviews and Exceptions.

1. As provided by this section, a student may request an Administrative Review of the application of a HOPE rule, policy, or regulation if the student believes such rule, policy, or regulation was incorrectly or improperly applied or a student may request an Exception to a HOPE rule, policy, or regulation if there are exceptional circumstances warranting the request.

214.1. Administrative Reviews.

1. The HOPE Scholarship regulations are applied to each student considered for HOPE Scholarship funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFC.
2. If a student believes a HOPE Scholarship rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with GSFC using the HOPE Scholarship Administrative Review process as set forth in these regulations.
3. In order for a request for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFC's office within forty-five calendar days of receiving notice of denial from the Eligible Postsecondary Institution or GSFC. If additional information is requested from the student, it must be provided within the time frame specified by GSFC.
 - a. GSFC will review the case and determine whether the rule or regulation was applied correctly and notify the student and Eligible Postsecondary Institution of the determination.
 - b. GSFC decides a case based only on documentation provided, rather than a personal presentation.

214.2. Requesting an Exception.

1. The Board of Commissioners of GSFC may grant a HOPE Scholarship award to a student who fails to meet the regulatory requirements for HOPE Scholarship funds in very limited and exceptional cases, as provided by *Section 213.3* Guidelines for Approval of an Exception Request. The Board of Commissioners has sole discretion to grant an Exception based on the circumstances presented by a student who has incurred a loss of HOPE Scholarship eligibility.
 - a. No student has the right to a HOPE Scholarship award under any circumstances described in *Section 214.4*.
 - b. No student has the right to appeal the denial of an Exception by the Board of Commissioners.

- c. Each individual HOPE Scholarship recipient is limited to one Exception, as granted by the Board of Commissioners, and such Exception shall only apply to one school term, during which HOPE Scholarship funds were received.
 - d. The authority of the Board of Commissioners to grant Exceptions extends only to the determination of Attempted-Hours and/or Paid-Hours, and only to the extent such Exceptions would not be contrary to state law. The Board of Commissioners does not have authority to revise a student's Postsecondary Calculated HOPE GPA or waive the requirements that a student attain or maintain a specific Postsecondary Calculated HOPE GPA as otherwise required herein or by law.
2. Exceptions may be granted for extenuating circumstances such as:
- a. Serious Illness, Psychiatric Disorder, or Serious Injury, experienced by the student; or
 - b. Death of an Immediate Family Member and/or step-parent, step-child or step-sibling; or
 - c. Immediate Family Member and/or step-parent, step-child or step-sibling experienced a Serious Illness, Psychiatric Disorder, or Serious Injury and the student had to provide temporary care for an Immediate Family Member and/or step-parent, step-child or step-sibling.
 - d. In cases where a Serious Illness, Psychiatric Disorder or Serious Injury is the basis for an Exception request, the Serious Illness, must have been treated, Psychiatric Disorder must have been diagnosed or Serious Injury must have been sustained within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
 - e. In cases where death of a family member, as listed above, is the basis for an Exception request, the family member's death must have occurred within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
3. The GSFC Board of Commissioners' decision to approve or deny an Exception request is final and cannot be appealed. In order for an Exception to be considered:
- a. A student who withdrew completely from a term and lost eligibility at a Checkpoint must submit a written request for an Exception no later than the last day of the term of re-enrollment.
 - b. A student who previously withdrew completely from a term but did not lose eligibility and is reaching the Attempted-Hours or Paid-Hours limit, must submit a written request for an Exception during the term in which the student has reached or is within 15 hours of the Attempted-Hours and/or Paid-Hours Limit.

- c. Omission of documentation or incomplete requests may not be considered by the GSFC Board of Commissioners and may result in an automatic denial.
 - d. Requests for an Exception may be submitted to GSFC via US mail, email, or hand delivery. All required documentation must be provided at the time of submission.
4. Items required to be considered for an Exception by GSFC must be received by close of business on the deadline date listed below. These items are to be received by GSFC in one complete packet; incomplete packets may not be considered. In some cases, it may be necessary to wait until the next board meeting to convene before a decision can be rendered.

a. Deadline Submission Dates

Submission Deadline	Board Meeting
First Friday in July	August
First Friday October	November
First Friday in January	February
First Friday in April	May

5. GSFC staff shall review each request for Exception to determine whether such request satisfies the Guidelines for Approval of an Exception Request set forth in *Section 213.3*.

Each request for Exception that has been determined by GSFC staff to satisfy the Guidelines for Approval of an Exception Request set forth in *Section 214.3*, shall be summarized by staff and presented to the Public Policy and Law Committee of the Board of Commissioners. The requests for Exceptions shall be approved or denied by the Public Policy and Law Committee. The Committee's decisions are then presented to the full Board for approval or denial.

- a. GSFC staff will notify the student of the Board of Commissioners' decision within seven calendar days of the approval or denial.
- b. The Board of Commissioners has heretofore authorized staff to deny, on its behalf, each request for Exception that has been determined by GSFC to fall within the Guidelines for Denial of an Exception Request set forth in *Section 213.4*. Such requests for Exception shall not be presented to the Public Policy and Law Committee of the Board of Commissioners, unless the student, having been informed of the denial, shall have requested that such request be submitted to the Public Policy and Law Committee, by the deadline set forth in *Section 214.2.4*. above.

6. Exceptions granted by the Board of Commissioners shall provide for the forgiveness of postsecondary Attempted-Hours and/or Paid-Hours, but:
 - a. In no case or circumstance shall a student's postsecondary grade(s), as determined by the student's postsecondary institution, be forgiven or altered by the Board of Commissioners.
 - b. Under no circumstances, shall an Exception be made regarding student data submitted to GSFC by a student's high school for purposes of determining the student's eligibility for a HOPE Scholarship.

214.3. Guidelines for Approval of an Exception Request.

1. GSFC staff, in its summary, shall classify each request for an Exception based on the information presented. The classifications are for guidance only. Final approval or denial of an Exception request is subject to the Board's sole discretion. The classifications are based on the following guidelines:
 - A1** Requests for an Exception may be granted for a HOPE Scholar who has reached a Checkpoint and lost HOPE eligibility without yet earning a Postsecondary Calculated HOPE GPA or a student who has reached an Attempted-Hours Checkpoint for entry into the HOPE Scholarship Program without yet earning a Postsecondary Calculated HOPE GPA, where such failure to earn a Postsecondary Calculated HOPE GPA is the result of having withdrawn from, or taken Incompletes, in all coursework during a term due to an extenuating circumstance listed in *Section 214.2.2*.
 1. This Exception provides for HOPE Scholarship retroactive payment from the point at which the student lost HOPE Scholarship eligibility or from the point at which the student reached an Attempted-Hours Checkpoint for entry into the program if the student has at least a 3.00 Postsecondary Calculated HOPE GPA after attempting 12 hours of coursework for which he or she received letter grades (A=4.00, B=3.00, C=2.00, D=1.00, F=0.0).
 2. The Attempted-Hours and/or Paid-Hours from which the student withdrew may be forgiven so that the student's total length of eligibility for HOPE Scholarship is extended.
 - A2** Requests for an Exception may be granted for a HOPE Scholarship recipient who completely withdrew from all courses during a term and has exceeded the Attempted-Hours and/or Paid-Hours limit for the HOPE Scholarship or has 15 semester hours or less remaining to reach the Attempted-Hours and/or Paid-Hours limit. By forgiving the hours from which the student withdrew, the student's total length of eligibility for HOPE is extended, if:
 1. The student experienced an extenuating circumstance listed in *Section 214.2.2*; and

2. The student remains academically eligible to receive the HOPE Scholarship.

A3 Requests for an Exception may be granted for a HOPE Scholarship recipient who lost HOPE Scholarship eligibility at a Checkpoint due to complete withdrawal from a term, if:

1. The student experienced an extenuating circumstance listed in *Section 214.2.2*; and
2. The student has at least a 3.00 Postsecondary Calculated HOPE GPA at the new Attempted-Hours Checkpoint (withdrawal hours not included).

- a. By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's Attempted-Hours Checkpoint is delayed by a term or terms and the student's total length of eligibility for HOPE is extended.

- i. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine if the student achieves at least a 3.00 Postsecondary Calculated HOPE GPA at the Attempted-Hours Checkpoint (once hours are forgiven); and

- ii. The student is eligible to retain HOPE and to be reimbursed from the point at which the student lost HOPE eligibility.

A4 Requests for an Exception may be granted for a HOPE Scholarship recipient who lost HOPE at an Attempted-Hours Checkpoint or exceeded the Attempted-Hours and/or Paid-Hours limitations during a term with a partial withdrawal, if:

1. The student experienced an extenuating circumstance listed in *Section 214.2.2* and the Eligible Postsecondary Institution made it compulsory for the student to withdraw from a course(s); and
2. The student has at least a 3.00 Postsecondary Calculated HOPE GPA at the new Attempted-Hours Checkpoint (once hours are forgiven and all "incomplete" grades are reported).

- a. By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's Attempted-Hours Checkpoint is delayed by a term or terms and the student's total length of eligibility for HOPE is extended.

- i. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine if the student achieves at least a 3.00 Postsecondary Calculated HOPE GPA at the new Attempted-Hours Checkpoint (withdrawal hours not included); and

- ii. The student is eligible to retain HOPE and to be reimbursed from the point at which the student lost HOPE eligibility.

A5 Requests for an Exception may be granted for a HOPE Scholarship recipient who lost HOPE Scholarship eligibility at an End-of-Spring or Three-Term Checkpoint with a Postsecondary Calculated HOPE Grade Point Average greater than 0.00, but less than 3.00 or exceeded the Attempted-Hours and/or Paid-Hours limit during a term with a partial withdrawal, if:

1. The student experienced an extenuating circumstance listed in *Section 214.2.2* and the Eligible Postsecondary Institution made it compulsory for the student to withdraw from a course(s); and
2. The student has at least a 3.00 Postsecondary Calculated HOPE GPA at the next Attempted-Hours Checkpoint (withdrawal hours not included and all “incomplete” grades are reported).
 - a. By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew the student’s total length of eligibility for HOPE is extended.
 - i. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine if the student achieves at least a 3.00 Postsecondary Calculated HOPE GPA at the next Attempted-Hours Checkpoint (withdrawal hours not included).

A6 Requests for an Exception may be granted for a HOPE Scholarship recipient who withdrew from all courses during a term because the student was required to report for active duty service in the United States Armed Forces outside the State of Georgia or for deployment overseas, so that by forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student’s total length of eligibility for HOPE is extended, if:

1. The student can show that his or her active service began during the term from which he or she withdrew; and
2. The student remains academically eligible to receive the HOPE Scholarship.

214.4. Guidelines for Denial of an Exception Request.

1. GSFC staff, in its summary, shall classify each request for an Exception based on the information presented. The classifications are for guidance only. Final approval or denial of an Exception request is subject to the Board’s sole discretion. The classifications are based on the following guidelines:

- D1** If it is Mathematically Impossible for the student to have at least a 3.00 Postsecondary Calculated HOPE GPA at the new 30- 60- or 90- semester-hour (45- 90- or 135- quarter-hour) HOPE Scholarship Checkpoint, even after withdrawal hours are forgiven.
- D2** If the student does not provide a request for an Exception in writing as set forth in section 214.2.3.
- D3** If the basis of the request is the diagnosis of or presence of a learning disability.
- D4** If the underlying cause for the student's request for an Exception is attributed to a criminal act committed by the student, that resulted in a conviction or a plea of guilty or nolo contendere.
- D5** If the basis of an Exception request is to have a student's postsecondary grade(s), as determined by the student's postsecondary institution, forgiven or altered by the Board of Commissioners.
- D6** If the basis of the request is student data submitted to GSFC by a student's high school for purposes of determining the student's eligibility for a HOPE Scholarship.
- D7** If the basis of the request is a Serious Illness, Serious Injury or Psychiatric Disorder that was not sustained, diagnosed or treated within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
- D8** If the basis of the request is the death of an Immediate Family Member and/or step-parent, step-child or step-sibling and the death did not occur within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
- D9** If the student did not receive HOPE Scholarship funds during the term of withdrawal.
- D10** If the request seeks an Exception from the laws governing the HOPE Program.
- D11** If the student is still beyond the Attempted-Hours and/or Paid-Hours limit even if the hours from which the student withdrew are forgiven.
- D12** If the basis of the request is a reason other than those specifically listed in *Section 214.3.* of these regulations.

215. Compliance Reviews.

215.1. Compliance Review Policy.

1. GSFC shall conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the HOPE Scholarship Program in order to assess institutional administration of the program and compliance with the program's regulations. Such Compliance Reviews shall be conducted no less frequently than once every three years in accordance with GSFC's *Compliance Review Process and Procedures* document, which is available at gsfc.georgia.gov, under *Information for School Compliance*.

215.2. Compliance Review Process.

1. GSFC selects a sampling of the Eligible Postsecondary Institution's HOPE Scholarship recipients, for the Award Year under review, and the Eligible Postsecondary Institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution.

215.3. Institutional Repayment.

1. In the event it is determined that an Eligible Postsecondary Institution knowingly or through error certified an ineligible student to be eligible for HOPE Scholarship, the amount of such scholarship shall be refunded by the Eligible Postsecondary Institution to GSFC.
2. GSFC may suspend an Eligible Postsecondary Institution from receiving HOPE Scholarship payments if it fails to timely refund any monies deemed due based on the Compliance Review.
3. Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts such statement or misrepresentation knowing it to be false, for the purpose of enabling an ineligible student to wrongfully obtain a HOPE Scholarship award shall be guilty of a misdemeanor.
4. If evidence, not available at the time of awarding, indicates that a student should not have received the HOPE Scholarship payment, then all future HOPE Scholarship awards for that student must be canceled.
 - a. The Eligible Postsecondary Institution is held harmless by GSFC, if the student's file is adequately documented with available evidence and it is determined by GSFC that the Eligible Postsecondary Institution was not at fault.

- b. Evidence is considered unavailable at the time of awarding if it is not available in the student's institutional files (i.e., financial aid, admissions, registrar, etc.).
- 5. The Eligible Postsecondary Institution must notify the student and GSFC of a refund due to GSFC.
- 6. The student will be ineligible to receive additional state aid from GSFC until the repayment is paid in full, in accordance with *Section 211.2*.
- 7. If GSFC determines the student's file is not adequately documented, the Eligible Postsecondary Institution may be solely responsible for the repayment.

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EXHIBIT 3

**Zell Miller Scholarship Program
at Public and Private Institutions**

REGULATIONS – 4000.

2024 - 2025 Award Year



Effective Date – July 1, 2024

GSFC | Georgia Student
Finance Commission

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4001. Table of Contents.

Section	Page
4001. Table of Contents.....	2
4002. Program Overview.....	6
4003. Definitions. (Electronic Link).....	7
4004. General Eligibility Requirements.	7
4004.1. Citizenship.	7
4004.2. Georgia Residency.....	7
4004.3. Enrollment Status.	8
4004.4. Satisfactory Academic Progress.....	9
4004.5. Selective Service Registration.....	9
4004.6. Defaulted Loan or Refund Due.....	10
4004.7. Georgia Drug-Free Act.	11
4004.8. Incarceration.....	11
4005. Program Specific Eligibility Requirements.....	12
4005.1. Zell Miller Scholarship Calculation.....	12
4005.2. Academic Rigor Requirements.....	13
4005.3. First-Tier Academic Requirements.....	14
4005.4. First-Tier Academic Requirements: Retroactive Eligibility.....	16
4005.5. First-Tier Academic Checkpoints.....	17
4005.6. Second-Tier Academic Requirements.....	17
4005.7. Second-Tier Academic Checkpoints.....	18
4005.8. Third-Tier Academic Requirements.....	18
4005.9. Third-Tier Academic Checkpoints.....	19
4005.10. Fourth-Tier Academic Requirements.....	19

4005.11. STEM Courses.	21
4005.12. Grade Changes and Incompletes.	22
4005.13. Attempted-Hours Limit.	23
4005.14. Attempted-Hours Calculation.	23
4005.15. Combined Paid-Hours Limit.	24
4005.16. Attainment of a Baccalaureate Degree.	24
4005.17. Expiration of Eligibility Limits.	25
4005.17.1. Ten Year Limit.	25
4005.17.2. Seven Year Limit.	25
4005.17.3. Military Service Extension Request.	25
4005.17.4. ADA Limited Extension Request.	26
4005.17.5. No Expiration Limit.	26
4005.18. Eligibility after Losing Zell Miller Scholarship at Two Checkpoints.	26
4006. Eligible and Ineligible Coursework.	27
4006.1. Transient Coursework.	27
4006.2. Distance Learning Coursework.	27
4006.3. Study Away Coursework.	27
4006.4. Board of Regents Test Preparation Coursework.	28
4006.5. First Professional Degree Program.	28
4006.6. Joint Enrollment and Dual Credit Enrollment Coursework.	28
4006.7. Learning Support Coursework.	29
4006.8. Coursework Exemptions.	29
4006.9. Continuing Education and Audit Coursework.	29
4006.10. Total Withdrawal from Coursework.	29
4007. Student Application Requirements.	30
4007.1. Application Forms.	30

4007.2. Application Deadline Date.	31
4007.3. Application for Subsequent Years.	31
4008. Award Requirements.	32
4008.1. Awards at Eligible USG or TCSG Institutions.	32
4008.2. Awards at Eligible Private Postsecondary Institutions.	32
4008.3. Awards Per School Term.	33
4008.4. Student Notification of Award.	33
4008.5. Effect of Other Aid on Zell Miller Scholarship Eligibility.	34
4009. College HOPE Eligibility Calculation Service (CHECS) Reporting Requirements.	35
4009.1. CHECS.	35
4010. Invoicing Requirements.	36
4010.1. Submission of Invoices.	36
4010.2. Payment of Invoices.	37
4010.3. Tuition Payments.	37
4011. Return of Funds Requirements.	38
4011.1. Calculation of Return of Funds.	38
4011.2. Collection of Refunds.	39
4011.3. Emergency Military Duty.	39
4012. Reconciliation Requirements.	40
4012.1. Term Reconciliation.	40
4012.2. Fiscal Year End Reconciliation.	40
4013. Records Retention Requirements.	41
4013.1. Length of Retention.	41
4013.2. Documentation.	41
4013.3. Extended Retention.	42

4014. Administrative Reviews and Exceptions.....	43
4014.1. Administrative Reviews.	43
4014.2. Requesting an Exception.	43
4014.3. Guidelines for Approval of an Exception Request.	46
4014.4. Guidelines for Denial of an Exception Request.	48
4015. Compliance Reviews.....	50
4015.1. Compliance Review Policy.	50
4015.2. Compliance Review Process.....	50
4015.3. Institutional Repayment.....	50

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4002. Program Overview.

The Zell Miller Scholarship Program is a merit-based scholarship program with specific academic and grade point average eligibility requirements. The purpose of the Zell Miller Scholarship Program is to encourage the academic achievement of Georgia's high school students and Georgians seeking Degrees from postsecondary institutions located in Georgia.

An eligible student seeking a Degree from a University System of Georgia (USG) or Technical College System of Georgia (TCSG) institution may receive Zell Miller Scholarship funds covering the Standard Undergraduate Tuition amount. An eligible student seeking a Degree from a Private Eligible Postsecondary Institution may receive Zell Miller Scholarship funds based on the amount established by the Georgia General Assembly.

The Zell Miller Scholarship Program, for students attending Georgia's Eligible Postsecondary Institutions, was created beginning with the 2011-2012 Award Year (State Fiscal Year 2012), with awards first available Fall term 2011. The program is fully funded by the Georgia Lottery for Education and administered by the Georgia Student Finance Commission (GSFC), in accordance with Official Code of Georgia Annotated (O.C.G.A.) §20-3-519, et seq.

4003. Definitions. (Electronic Link)

4004. General Eligibility Requirements.

4004.1. Citizenship.

1. A student must be a United States Citizen, born or naturalized, or an Eligible Non-Citizen according to the Federal Title IV Regulations, as of the first day of classes of the school term for which the Zell Miller Scholarship is sought. Employees of the Free Trade Area of the Americas (FTAA), their spouses, and their dependents are not exempt from this requirement.

4004.2. Georgia Residency.

1. A student entering the Zell Miller Scholarship Program at any Tier and attending a USG or TCSG institution who meets the Georgia Residency requirements of the Board of Regents (BOR) or State Board of TCSG at the time of his or her high school graduation or Home Study program completion, must also meet such Georgia Residency requirements for 12 consecutive months immediately prior to the first day of classes of the school term for which the Zell Miller Scholarship is sought.
2. A student entering the Zell Miller Scholarship Program at any Tier and attending a USG or TCSG institution, who did not meet the Georgia Residency requirements of the BOR or State Board of TCSG at the time of high school graduation or Home Study program completion, must meet such Georgia Residency requirements for 24 consecutive months immediately prior to the first day of classes of the school term for which the Zell Miller Scholarship is sought.
3. A student entering the Zell Miller Scholarship Program at any Tier and attending a private Eligible Postsecondary Institution who met the Georgia Residency requirements of the *Georgia Residency Requirements for State Programs at Private Institutions Regulations* at the time of his or her high school graduation or Home Study program completion, must also meet such Georgia Residency requirements for 12 consecutive months immediately prior to the first day of classes of the school term for which the Zell Miller Scholarship is sought.
4. A student entering the Zell Miller Scholarship Program at any Tier and attending a private Eligible Postsecondary Institution who did not meet the Georgia Residency requirements of the *Georgia Residency Requirements for State Programs at Private Institutions Regulations* at the time of high school graduation or Home Study program completion, must meet such Georgia Residency requirements for 24 consecutive months immediately prior to the first day of classes of the school term for which the Zell Miller Scholarship is sought.
5. Military Personnel, Military Spouses, or Dependent Children, shall be treated as a Georgia Resident for purposes of Zell Miller Scholarship eligibility if:

- a. The Military Personnel is stationed in Georgia on active duty, or lists Georgia as his or her home of record; or
- b. A USG or TCSG institution grants a Military Personnel Out-of-State Tuition Waiver or Exemption.
6. No other Out-of-State Tuition Waiver, other than for Military Personnel and their dependents, applies to students in the Zell Miller Scholarship Program.
7. Members of the Georgia National Guard shall be treated as a Georgia resident for purposes of Zell Miller Scholarship eligibility.
8. Members of a reserve component of the United States Armed Forces, assigned to a reserve unit located in Georgia, shall be treated as a Georgia resident for purposes of Zell Miller Scholarship eligibility.
9. Full-time employees of the FTAA, who are recognized by the United States Department of State as based in Georgia, their spouses, and their dependents are considered to meet the Georgia Residency requirements for participation in the HOPE Scholarship Program, regardless of the length of time they have resided in Georgia.
10. A student, who was correctly determined to meet the Georgia Residency requirements for purposes of Zell Miller Scholarship eligibility and began receiving Zell Miller Scholarship payment, will continue to meet the Georgia Residency requirements for purposes of Zell Miller Scholarship eligibility, unless he or she has a break in Enrollment of two or more consecutive semesters or quarters and resides outside of Georgia for 12 or more consecutive months.
 - a. If such student later returns to Georgia, he or she must re-establish Georgia Residency for 12 consecutive months, (refer to *Section 4004.2.1. or 4004.2.3.*), before regaining Zell Miller Scholarship eligibility.
11. A student who has a break in Enrollment of two or more consecutive semesters or quarters, and who resides outside Georgia for less than 12 consecutive months, and then later returns to Georgia and Enrolls in an Eligible Postsecondary Institution within 12 consecutive months from his or her most recent date of Enrollment in an Eligible Postsecondary Institution will continue to meet the Georgia Residency requirements for purposes of Zell Miller Scholarship eligibility.

4004.3. Enrollment Status.

1. A student must be Enrolled at a USG, TCSG, or Private Eligible Postsecondary Institution in a Matriculated status leading to a Degree.
2. A student Enrolled at a USG or TCSG Eligible Postsecondary Institution is eligible for the Zell Miller Scholarship regardless of the number of credit hours Enrolled during a school term. Half-Time or Full-Time Enrollment is not a requirement.

3. A student Enrolled at a Private Eligible Postsecondary Institution must be classified as Full-Time at the end of the Private Eligible Postsecondary Institution's drop/add period in order to be eligible for the Full-Time award amount.
4. A student Enrolled at a Private Eligible Postsecondary Institution must be classified as Half-Time at the end of the Private Eligible Postsecondary Institution's drop/add period in order to be eligible for the Half-Time award amount.
5. For the school term in which a student reaches the Attempted-Hours or Combined Paid-Hours limit of 127 semester or 190 quarter hours, the student can be paid only for the hours up to the Attempted-Hours or Combined Paid- Hours limit. A student who will reach the Attempted-Hours or Paid-Hours limit with a fraction of an hour remaining can be paid for a full hour.

4004.4. Satisfactory Academic Progress.

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by his or her Eligible Postsecondary Institution.
 - a. For state aid programs, Eligible Postsecondary Institutions may establish an appeal process for students with hours attempted prior to high school graduation or home study completion, including dual enrollment, AP, IB, and/or other such coursework that fail to meet the quantitative standard (pace) for degree completion, generally identified as 150 percent of the published length of the program.
 - b. The appeal should consider attempted hours toward the program in which the student is enrolled, satisfactory qualitative (grade-based) standards, and the student's satisfactory pace in pursuit of completing the program with and without the hours attempted prior to high school graduation or home study completion, including dual enrollment, AP, IB, and/or other such coursework. Eligible Postsecondary Institutions have sole discretion and responsibility for evaluation and approval of any such appeals.

4004.5. Selective Service Registration.

1. A student must be in compliance with Georgia state law requirements of having registered with the United States Selective Service System requirements, in accordance with O.C.G.A. § 20-3-519.1(b).
2. Selective Service registration, by required males, should be completed prior to the program application deadline in order to be eligible for payment for such school term.
 - a. A late disbursement is permitted if the student meets Selective Service requirements any time during the fiscal year.

3. GSFC will maintain Selective Service registration or exemption status information for state aid program applicants/recipients. The registration status will be available to the postsecondary institution in which the student is enrolled in order for the institution to determine program eligibility.
 - a. The Institution may collect documentation supporting a student's registration status and submit to GSFC for consideration.
4. Male applicants required to register with the Selective Service System must have a registered or exemption status on file with GSFC to be eligible for state aid programs and for a disbursement invoice to be paid.

4004.6. Defaulted Loan or Refund Due.

1. A student must not be in default on a Federal Title IV or State of Georgia educational loan or owe a refund due to an over-award on a Federal Title IV or State of Georgia student financial aid program, or in any other way be in violation of Federal Title IV Programs Regulations or State of Georgia student financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by GSFC on behalf of the student.
2. A student's federal default status can be resolved in one of five ways:
 - a. Completing an acceptable rehabilitation plan; or
 - b. Having the loan repurchased by the original lender and the default status reversed; or
 - c. Consolidating the loan out of a default status; or
 - d. Receiving an approved Title IV debt settlement, to include a compromised settlement; or
 - e. Making monthly payments over specified period agreed-upon with the lender of the Student's federal loan; each payment must be on time and voluntary to be in a satisfactory repayment plan.
3. A student's State of Georgia refund due status can be resolved by:
 - a. Paying the refund due to the Eligible Postsecondary Institution at which the over-award occurred. The Eligible Postsecondary Institution will then forward the payment to GSFC.
4. A student's default status on a State of Georgia loan can be resolved in one of two ways:
 - a. Paying off the defaulted loan in full; or

- b. Completing an acceptable rehabilitation plan by making voluntary on time payments over a specified period agreed-upon with GSFA.
5. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive state scholarship, grant or loan funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

4004.7. Georgia Drug-Free Act.

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for Zell Miller Scholarship payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. § 20-1-20, et seq.

4004.8. Incarceration.

1. A student seeking a Degree from an Eligible Postsecondary Institution is ineligible for Zell Miller Scholarship payment while Incarcerated. Upon release from incarceration, such student may begin receiving Zell Miller Scholarship payments, if he or she meets all Zell Miller Scholarship eligibility requirements. Degree credit hours attempted while Incarcerated must be counted as Attempted-Hours for purposes of Zell Miller Scholarship eligibility.

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4005. Program Specific Eligibility Requirements.

1. A student cannot enter the Zell Miller Scholarship Program if he or she was Academically Eligible at the time of high school graduation.

4005.1. Zell Miller Scholarship Calculation.

1. Eligible High Schools located in Georgia are required to provide GSFC with electronic academic transcripts for all graduating students, at the time and in the format prescribed by GSFC. GSFC shall use such transcript data to calculate each student's HOPE Grade Point Average (GPA) for purposes of Zell Miller Scholarship eligibility.
 - a. If the transcript for the school from which the student graduated does not show the student's complete academic record for 9th, 10th, 11th, and 12th grades, additional transcripts must be provided from all other schools attended during those years.
 - b. Calculation of the HOPE GPA will not occur until official academic transcripts showing a complete high school academic record are received.
2. A student who graduates from an Eligible High School, that is not located in Georgia, shall provide GSFC with an official academic transcript upon high school graduation. GSFC shall use such transcript data to calculate the student's HOPE GPA for purposes of Zell Miller Scholarship eligibility.
 - a. If the transcript for the school from which the student graduated does not show the student's complete academic record for 9th, 10th, 11th, and 12th grades, additional transcripts must be provided from all other schools attended during those years.
 - b. Calculation of the HOPE GPA will not occur until the student provides official academic transcripts showing a complete high school academic record.
3. When calculating a student's high school HOPE GPA for purposes of Zell Miller Scholarship Scholar designation, and for meeting the Zell Miller Scholarship academic requirements at the First-Tier, GSFC will remove the weighted portion, if any, added by the student's Eligible High School, from any grade earned from Advanced Placement, International Baccalaureate, or Dual Credit Enrollment coursework and convert the grade to a 4.00 scale.

4. GSFC will add a standard weight, up to the maximum 4.00 grade, as indicated in the following chart:

Academic Year Course Attempted	Advanced Placement Courses	International Baccalaureate Courses	Degree Level Dual Credit Enrollment Core Courses
Prior to 2006-2007	1.0	1.0	0
2006-2007 through 2012-2013	.5	.5	0
2013-2014 and later	.5	.5	.5 for students graduating high school July 1, 2013 or later

5. Grades for Honors or other special courses will not be weighted. GSFC will remove the weighted portion, if any, added by the student's Eligible High School from any grade earned from Honors courses or other special courses.

4005.2. Academic Rigor Requirements.

1. Beginning with the High School Graduating Class of 2015, a student meeting the requirements to be a Zell Miller Scholarship Scholar at the time of high school graduation must earn a minimum of two full credits from the academic rigor course categories listed below prior to graduating from high school.
2. For the High School Graduating Class of 2016, a student meeting the requirements to be a Zell Miller Scholarship Scholar at the time of high school graduation must earn a minimum of three full credits from the academic rigor course categories listed below prior to graduating from high school.
3. For the High School Graduating Class of 2017 and beyond, a student meeting the requirements to be a Zell Miller Scholarship Scholar at the time of high school graduation must earn a minimum of four full credits from the academic rigor course categories listed below prior to graduating from high school.
4. Credits received for academic rigor must be selected from one or more of the categories below:
 - a. Advanced math, such as advanced algebra and trigonometry, or math III, taken at the high school, or an equivalent or higher course taken for degree level credit at an Eligible Postsecondary Institution; or

- b. Advanced science, such as chemistry, physics, or biology II, and certain computer science courses taken at the high school level, or an equivalent or higher course taken for degree level credit at an Eligible Postsecondary Institution; or
 - c. Foreign language courses taken at the high school, or taken for degree level credit at an Eligible Postsecondary Institution; or
 - d. Advanced Placement, International Baccalaureate or degree level Dual Credit Enrollment courses in Core subjects.
5. Students that graduate from an Eligible High School, including Home Study students who receive a diploma and transcript from an Accredited High School Program, must meet rigor requirements.
6. The rigor requirement does not extend to students who:
- a. Complete a Home Study Program that does not result in a diploma and transcript from an Accredited High School Program; nor
 - b. Graduate from a high school that is not an Eligible High School; nor
 - c. Receive a diploma pursuant to a petition to the local school board in accordance with O.C.G.A. § 20-2-281.1.
7. Home Study students who graduate from an Accredited High School Program and submit a transcript for evaluation for purposes of Zell Miller Scholarship eligibility must satisfy the same Academic Rigor requirements as a graduate from an Eligible High School.

4005.3. First-Tier Academic Requirements.

1. In order for a student that graduated from an Eligible High School between 2011 and 2015 to meet the academic requirements of the Zell Miller Scholarship at the First-Tier, the student must have:
- a. Graduated from an Eligible High School as the Valedictorian or the Salutatorian. The identified Valedictorian and Salutatorian for each Eligible High School must meet all HOPE eligibility requirements, including the minimum 3.0 GPA requirement; or
 - b. Graduated from an Eligible High School with a minimum of a 3.70 Calculated HOPE GPA on a 4.00 scale as calculated by GSFC for Zell Miller Scholarship purposes; and
 - i. Earned a composite score of 26 on a single National or State/District Administration of the ACT by the time of high school graduation; or

- ii. Earned a minimum score of 1,200 combined critical reading and math on a single National Administration of the SAT by the time of high school graduation. Points earned in the Essay portion shall not be included in any calculation of a Student's score.
- 2. Beginning with the High School Graduating class of 2016, in order to meet the academic requirements of the Zell Miller Scholarship at the First-Tier a student must:
 - a. Graduate from an Eligible High School as the Valedictorian or the Salutatorian. The identified Valedictorian and Salutatorian for each Eligible High School must meet all HOPE eligibility requirements, including the minimum 3.0 GPA requirement; or
 - b. Graduate from an Eligible High School with a minimum of a 3.70 Calculated HOPE GPA on a 4.00 scale as calculated by GSFC for Zell Miller Scholarship purposes; and
 - i. Earn a minimum score of 1,200 on a single National Administration of the SAT taken by the time of high school graduation. Points earned in the Essay portion shall not be included in any calculation of a student's score; or
 - ii. An equivalent composite score on a single National or State/District Administration of the ACT by the time of high school graduation. Equivalent scores are published by the College Board and ACT each January.
 - 1) GSFC will confirm and publish the equivalent each January based on the concordance guide available by the College Board and ACT.
 - 2) The use of the concordance guide to set the required ACT score annually will be effective for academic eligibility starting calendar year 2024, and after.
 - c. Complete a Home Study Program or graduate from a high school that is not an Eligible High School; and
 - i. Earn a composite scale score in the ninety-third percentile or higher on a single National or State/District Administration of the ACT by the time of high school graduation or home school completion; or
 - ii. Earn a total score in the ninety-third percentile or higher on the combined critical reading and math portions on a single National Administration of the SAT by the time of high school graduation or home school completion. Points earned in the Essay portion shall not be included in any calculation of a student's score.

3. Students who received a diploma pursuant to a petition to the local school board in accordance with O.C.G.A. 20-2-281.1, the test administration indicated in *Sections 4005.3.1.b.i.* and *4005.3.1.b.ii* or *4005.3.2.b.i.* and *4005.3.2.b.ii* must have taken the test prior to the date the student would have graduated with their graduating class.
4. Each grade earned for attempted coursework in English, mathematics, science, social studies and foreign language during the student's 9th, 10th, 11th, or 12th grade year that could, according to Georgia Department of Education classification, be used to satisfy a Core curriculum graduation requirement must be equated to a grade on a 4.00 scale, such that a grade of "A" equals 4.00, "B" equals 3.00, "C" equals 2.00, "D" equals 1.00, and "F" equals 0.
5. Students that graduate from an Eligible High School, including Home Study students who receive a diploma and transcript from an Accredited High School Program, must meet rigor requirements. The rigor requirement does not extend to students completing a Home Study program who have not received a diploma and transcript from an Accredited High School Program.

4005.4. First-Tier Academic Requirements: Retroactive Eligibility.

1. A student who graduated from an ineligible high school or completed a Home Study program may receive a retroactive Zell Miller Scholarship payment for the First-Tier if such student earns at least a 3.30 Postsecondary Calculated HOPE GPA after having accumulated 30 semester or 45 quarter Attempted-Hours of Degree credit (not including any degree credit attempted prior to Home Study program completion) and meets all other Zell Miller Scholarship requirements, including the End-of-Spring and Three-Term Checkpoints.
 - a. In order for such student to be eligible for Zell Miller Scholarship retroactively for the First-Tier, the student must have met Georgia Residency requirements at the time he or she completed the Home Study requirements.
 - b. The student must request an eligibility determination by submitting a request and all supporting documentation to GSFC prior to the last day of the term following the term (excluding Summer term) in which 30 semester or 45 quarter hours were attempted; and
 - c. Have received a minimum score of 1200 combined critical reading and math score on a single National Administration of the SAT by the time of Home Study completion or an ACT composite score of 26 on a single National or State/District Administration by the time of Home Study completion. Points earned in the Essay portion shall not be included in any calculation of a Student's score.
2. Funds will not be paid retroactively for coursework taken prior to a student's petition to receive a diploma pursuant to O.C.G.A. 20-2-281.1.

4005.5. First-Tier Academic Checkpoints.

1. A First-Tier student may receive Zell Miller Scholarship payment through the school term in which he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours unless such student first reaches an End-of-Spring Checkpoint or Three-Term Checkpoint with less than a 3.30 Postsecondary Calculated HOPE GPA.
2. A First-Tier student Enrolled Full-Time during at least one term must have a Postsecondary Calculated HOPE GPA of at least a 3.30 at the end of Spring term (End-of-Spring Checkpoint), in order to continue eligibility beyond Spring term.
3. A First-Tier student, who received HOPE Scholarship funds and was Enrolled less than Full-Time for each of his or her first three school terms must have a Postsecondary Calculated HOPE GPA of at least a 3.30 at the end of his or her third term (Three-Term Checkpoint), in order to continue eligibility beyond the third term.
 - a. If a student has a 3.00 at the Three-Term Checkpoint, the student is eligible to continue receiving the Zell Miller Scholarship at the First-Tier until such student has accumulated 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint) or reaches the next End-of-Spring Checkpoint, whichever occurs first.
4. A First-Tier student who was Enrolled less than Full-Time per term during his or her first two terms, but Full-Time during his or her third term and the third term is after the End-of-Spring Checkpoint, is eligible to continue receiving the Zell Miller Scholarship at the First-Tier until such student has accumulated 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint) or reaches the next End-of-Spring Checkpoint, whichever occurs first.

4005.6. Second-Tier Academic Requirements.

1. A student cannot enter the Zell Miller Scholarship Program at Second-Tier if he or she was not Academically Eligible at the time of high school graduation.
2. A student must have accumulated at least 30 semester or 45 quarter Attempted-Hours, but less than 60 semester or 90 quarter Attempted-Hours and have earned a Postsecondary Calculated HOPE GPA of at least 3.30 at the end of the school term in which he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), to remain academically eligible for Zell Miller Scholarship payment for the Second-Tier.
3. A student eligible for the HOPE Scholarship, who was Academically Eligible for the Zell Miller Scholarship at the time of his or her high school graduation, may gain Zell Miller Scholarship eligibility at the Second-Tier if the student had a minimum 3.30 GPA at his or her most recent Checkpoint and meets all other eligibility requirements.

- a. Receipt of funds at the First-Tier is not a requirement or prerequisite for eligibility at the Second-Tier.
4. A student who lost his or her Zell Miller Scholarship eligibility as a First-Tier recipient, for failure to earn at least a 3.30 Postsecondary Calculated HOPE GPA at the End-of-Spring Checkpoint or at his or her Three-Term Checkpoint and who has not yet reached the Second-Tier Checkpoint, can regain Zell Miller Scholarship eligibility for the Second-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.30 at the end of the school term he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint); and
 - b. Such student meets all other Zell Miller Scholarship requirements; and
 - c. The student has not previously lost Zell Miller Scholarship eligibility at any two Checkpoints since Fall term 2011.

4005.7. Second-Tier Academic Checkpoints.

1. A student is eligible to continue receiving the Zell Miller Scholarship at the Second-Tier through the school term he or she has accumulated 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint), unless such student first reaches an End-of-Spring Checkpoint with a Postsecondary Calculated HOPE GPA less than a 3.30.

4005.8. Third-Tier Academic Requirements.

1. A student cannot enter the Zell Miller Scholarship Program at Third-Tier if he or she was not Academically Eligible at the time of high school graduation.
2. A student must have accumulated at least 60 semester or 90 quarter Attempted-Hours, but less than 90 semester or 135 quarter Attempted-Hours and have earned a Postsecondary Calculated HOPE GPA of at least 3.30 at the end of the school term in which he or she has accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint), to remain academically eligible for Zell Miller Scholarship payment for the Third-Tier.
3. A student who lost his or her Zell Miller Scholarship eligibility as a First-Tier recipient, for failure to earn at least a 3.30 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or at the End-of-Spring Checkpoint, or at his or her Three-Term Checkpoint, can regain Zell Miller Scholarship eligibility for the Third-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.30 at the end of the term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint); and
 - b. Such student meets all other Zell Miller Scholarship requirements; and

- c. The student has not previously lost Zell Miller Scholarship eligibility at any two Checkpoints since Fall term 2011.
4. A student who lost his or her Zell Miller Scholarship eligibility as a Second-Tier recipient, for failure to earn at least a 3.30 Postsecondary Calculated HOPE GPA at the End-of-Spring Checkpoint and who has not yet reached the Third-Tier Checkpoint, can regain Zell Miller Scholarship eligibility for the Third-Tier if:
- a. His or her Postsecondary Calculated HOPE GPA is at least a 3.30 at the end of the term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint); and
 - b. Such student meets all other Zell Miller Scholarship requirements, provided the student has not previously lost Zell Miller Scholarship eligibility at any two Checkpoints since Fall term 2011; and
 - c. The student has not previously lost Zell Miller Scholarship eligibility at any two Checkpoints since Fall term 2011.

4005.9. Third-Tier Academic Checkpoints.

- 1. A student is eligible to continue receiving the Zell Miller Scholarship at the Third-Tier through the school term he or she has accumulated 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), unless such student first reaches an End-of-Spring Checkpoint with less than a Postsecondary Calculated HOPE GPA of 3.30.
- 2. A student eligible for the HOPE Scholarship, who was Academically Eligible for the Zell Miller Scholarship, at the time of his or her high school graduation, may gain Zell Miller Scholarship eligibility at the Third-Tier if the student had a minimum 3.30 GPA at his or her most recent Checkpoint and meets all other eligibility requirements.
 - a. Receipt of funds at the First-Tier and/or the Second-Tier is not a requirement or prerequisite for eligibility at the Third-Tier.

4005.10. Fourth-Tier Academic Requirements.

- 1. A student cannot enter the Zell Miller Scholarship Program at Fourth-Tier if he or she was not Academically Eligible at the time of high school graduation.
- 2. A student must have accumulated at least 90 semester or 135 quarter Attempted-Hours, but not more than 127 semester or 190 quarter Attempted-Hours and have earned a Postsecondary Calculated HOPE GPA of at least 3.30 at the end of the school term in which he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), to remain academically eligible for Zell Miller Scholarship payment at the Fourth-Tier.

3. A student who lost his or her Zell Miller Scholarship eligibility as a First-Tier recipient, for failure to earn at least a 3.30 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or at the End-of-Spring Checkpoint, or at his or her Three-Term Checkpoint, can regain Zell Miller Scholarship eligibility for the Fourth-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.30 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint); and
 - b. Such student meets all other Zell Miller Scholarship requirements; and
 - c. The student has not previously lost Zell Miller Scholarship eligibility at any two Checkpoints since Fall term 2011.
4. A student who lost his or her Zell Miller Scholarship eligibility as a Second-Tier recipient, for failure to earn at least a 3.30 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint) or at the End- of-Spring Checkpoint, can regain Zell Miller Scholarship eligibility for the Fourth-Tier if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.30 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint); and
 - b. Such student meets all other Zell Miller Scholarship requirements; and
 - c. The student has not previously lost Zell Miller Scholarship eligibility at any two Checkpoints.
5. A Zell Miller Scholarship recipient at the Third-Tier, who failed to earn a 3.30 Postsecondary Calculated HOPE GPA at an End-of-Spring Checkpoint and who has not yet reached the Fourth-Tier Checkpoint, can regain Zell Miller Scholarship eligibility if:
 - a. His or her Postsecondary Calculated HOPE GPA is at least a 3.30 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint); and
 - b. Such student meets all other Zell Miller Scholarship requirements; and
 - c. The student has not previously lost Zell Miller Scholarship eligibility at any two Checkpoints since Fall term 2011.
6. A Zell Miller Scholarship recipient at the Third-Tier, who failed to earn at least a 3.30 Postsecondary Calculated HOPE GPA at the end of the school term he or she accumulated at least 90 semester or 135 quarter Attempted- Hours (Fourth-Tier Checkpoint), cannot regain Zell Miller Scholarship eligibility.

7. A student is ineligible to continue receiving the Zell Miller Scholarship once he or she has accumulated 127 semester or 190 quarter Attempted-Hours or has accumulated 127 semester or 190 quarter Combined-Paid Hours, or has earned a Baccalaureate Degree, whichever of these limits occurs first.
8. A student who failed to earn a Postsecondary Calculated HOPE GPA of at least a 3.00 at an End-of-Spring Checkpoint after the 90 semester or 135 quarter Attempted-Hours Checkpoint, becomes permanently ineligible.
9. A student eligible for the HOPE Scholarship, who was Academically Eligible for the Zell Miller Scholarship, at the time of his or her high school graduation, may gain Zell Miller Scholarship eligibility at the Fourth-Tier if the student had a minimum 3.30 GPA at his or her most recent Checkpoint and meets all other eligibility requirements.
 - a. Receipt of funds at the Second-Tier and/or Third-Tier is not a requirement or prerequisite for eligibility at the Fourth-Tier.

4005.11. STEM Courses.

1. Effective Fall term 2017, when calculating the HOPE and Zell Miller Scholarship *postsecondary* GPA, an additional weight of 0.5 will be added to grades of B, C and D for approved Degree level science, technology, engineering and mathematics (STEM) courses taken at an Eligible Postsecondary Institution, Fall term 2017 or later. The approved STEM courses will be listed in the STEM Weighted Course Directory.
 - a. The Eligible Postsecondary Institution shall be responsible for including the additional weight in the HOPE and Zell Miller Scholarship GPA calculation.
 - b. The Eligible Postsecondary Institution to which a student transfers must refer to the STEM Weighted Course Directory to identify the approved STEM courses to be given the additional weight and included in the HOPE and Zell Miller GPA calculation for continued eligibility.
2. Courses not included in the STEM Weighted Course Directory, or completed prior to Fall term 2017, or taken at an ineligible postsecondary institution will not receive the additional weight.
3. The STEM Weighted Course Directory is updated annually and will be available on GAfutures.org by February 1.
4. The STEM Weighted Course Council is responsible for approving all additions, deletions, and changes to the directory. The council consist of at least one (1) representative from University System of Georgia, Technical College System of Georgia, Georgia Independent College Association, Georgia Student Finance Commission, Georgia Department of Economic Development, Governor's Office of Planning and Budget, and a member of the Georgia General Assembly.

- a. Institutions requesting an addition or deletion to the STEM Weighted Course Directory shall submit such changes to their representative on the council (USG, TCSG, or GICA for all private Eligible Postsecondary Institutions) no later than October 31.
- b. Changes to the STEM Weighted Course Directory may only occur once per year.
- c. The council may add or remove critical shortage fields and the associated STEM Weighted courses as it deems appropriate.
- d. USG will convene the annual STEM Weighted Course Council meeting in December to finalize changes for the following academic year.

4005.12. Grade Changes and Incompletes.

- 1. A student who obtains a grade change from his or her Eligible Postsecondary Institution is eligible to have his or her Postsecondary HOPE GPA recalculated for purposes of Zell Miller Scholarship eligibility at the End-of-Spring Checkpoint, Three-Term Checkpoint, or an Attempted-Hours Checkpoint.
 - a. A student previously denied Zell Miller Scholarship payment because his or her Postsecondary Calculated HOPE GPA was less than a 3.30 at one of the Checkpoints is eligible for retroactive Zell Miller Scholarship payment, if the grade change results in a Postsecondary Calculated HOPE GPA of a 3.30 or higher.
- 2. Degree hours appearing on a student's transcript as "incomplete", and all other situations in which grades are temporarily unavailable (i.e., overlapping terms, late grades, late transcripts from Transient coursework, etc.) must be counted when determining the student's number of Attempted-Hours, but are not included in the calculation of Quality Points when determining the Postsecondary Calculated HOPE GPA.
 - a. A student's Zell Miller Scholarship eligibility should be evaluated at each Checkpoint, based on the Postsecondary Calculated HOPE GPA at that Checkpoint.
- 3. If a student who was denied later becomes eligible when a grade is reported, the student is eligible to receive Zell Miller Scholarship payment retroactively. The request for retroactive payment must be submitted to GSFC by the last day of the term following the term in which the grade change occurs.
 - a. If the student was awarded at a Checkpoint, but later becomes ineligible when the incomplete grade is removed, then Zell Miller Scholarship awards must be canceled until the next Checkpoint and the student and GSFC must be notified by the Eligible Postsecondary Institution that the student owes a repayment of the Zell Miller Scholarship funds.

- b. The student owes the repayment even if it was awarded in a previous award year. The Eligible Postsecondary Institution is held harmless by GSFC for such repayment.

4005.13. Attempted-Hours Limit.

1. A student is ineligible to receive Zell Miller Scholarship payment once he or she reaches the Attempted-Hours limit of 127 semester or 190 quarter hours.
2. A student who is Enrolled in a specific Undergraduate Degree program of study that is designed by the Eligible Postsecondary Institution to require more than 127 semester or 190 quarter hours to earn a Baccalaureate Degree is ineligible to continue receiving the Zell Miller Scholarship once he or she has accumulated 127 semester or 190 quarter Attempted-Hours or has accumulated 127 semester or 190 quarter Combined-Paid Hours.

4005.14. Attempted-Hours Calculation.

1. The following postsecondary coursework is not counted in the Attempted- Hours calculation:
 - a. Credit hours for any college coursework attempted by a student prior to high school graduation or Home Study completion; nor
 - i. Coursework taken through the Dual Enrollment Program Fall term 2011 or later is not counted in the Attempted-Hours calculation; nor
 - b. Continuing Education and Audit credit hours; nor
 - c. Credit hours earned by examination or prior work experience; nor
 - d. Credit hours earned as a result of military training or experience unless such hours were granted or accepted as Degree credit by any postsecondary institution that is separate and independent of the military; nor
 - e. Credit hours earned for Learning Support in Fall term 2011 or later or accepted for Degree credit in Fall term 2011 or later.
2. The following postsecondary coursework is counted in the Attempted-Hours calculation:
 - a. Degree credit hours, regardless of whether:
 - i. The course was completed, the hours were earned, or a letter grade was recorded on the student's official academic transcript.
 - ii. The student received payment for those hours from the Zell Miller Scholarship Program.

- iii. Those hours were taken at a postsecondary institution outside the State of Georgia or at a postsecondary institution in a foreign country.
- iv. Those hours were taken at an unaccredited postsecondary institution.
- b. Credit hours attempted as part of a technical Certificate or Diploma program of study are only counted as Attempted-Hours if any postsecondary institution ever accepted those hours as credit hours toward a Degree.
- c. A block of credit hours for coursework taken in the Certificate or Diploma program, if the student is transferring from a Certificate or Diploma program into an Associate of Applied Science (AAS) or Bachelor of Applied Science (BAS) Degree program. In order to determine the number of Attempted- Hours, the value of the block of credit hours is based on the number of hours granted as credit.
- d. Courses that appear on a student's transcript with no credit hours, assign the credit hours listed in the postsecondary institution's official college catalog, if no credit hours are listed, assign three semester or five quarter credit hours.
- e. Credit hours earned for Learning Support coursework prior to Fall term 2011, are counted as Attempted-Hours, if such coursework was attempted by the student while he or she was Enrolled in a Degree program or while he or she was Enrolled in a Diploma or Certificate program and the coursework was accepted as credit toward the student's Degree program prior to Fall term 2011.

4005.15. Combined Paid-Hours Limit.

- 1. A student is ineligible to receive Zell Miller Scholarship payment once he or she reaches the Combined Paid-Hours limit of 127 semester or 190 quarter hours from any combination of Zell Miller Scholarship or HOPE Scholarship Paid-Hours, plus HOPE or Zell Miller Scholarship Grant Paid-Hours, plus Accel Program Paid-Hours (through FY 2011).
 - a. For a student enrolled at a Public Eligible Postsecondary Institution, a maximum of 15 semester or quarter hours per term is counted toward the Paid-Hours limit, even if actual enrollment is greater than 15 hours.
 - b. For a student enrolled at a Private Eligible Postsecondary Institution, a maximum of 12 semester or quarter hours per term is counted toward the Paid-Hours limit, even if actual enrollment is greater than 12 hours.

4005.16. Attainment of a Baccalaureate Degree.

- 1. Regardless of the number of Attempted-Hours or Combined Paid-Hours a student has accumulated, such student is ineligible for Zell Miller Scholarship payment if he or she has attained a Baccalaureate Degree, at any time, from any postsecondary institution, including the equivalent of a Baccalaureate Degree from a foreign institution as indicated by the foreign academic transcript and/or foreign academic transcript translation.

4005.17. Expiration of Eligibility Limits.

4005.17.1. Ten Year Limit.

1. A student who received his or her first HOPE Scholarship payment for Summer term 2019 or later, and meets all other eligibility requirements for HOPE Scholarship, may receive the HOPE Scholarship until June 30 following the completion of the tenth full year after the first one of the following events has occurred:
 - a. His or her high school graduation date; or
 - b. His or her Home Study completion date; or
 - c. His or her High School Equivalency diploma date; or
 - d. His or her petition date where his or her diploma was received pursuant to the local school board in accordance with O.C.G.A. § 20-2-281.
 - i. A student is not eligible for payment for any term prior to his or her petition date where his or her diploma was received.
2. A student who is Enrolled during a term which begins prior to his or her expiration of eligibility date and ends after his or her expiration of eligibility date may be paid for the term.

4005.17.2. Seven Year Limit.

1. A student who received his or her first HOPE Scholarship payment between Summer term 2011 and Spring term 2019, and meets all other eligibility requirements for Zell Miller Scholarship, may receive the Zell Miller Scholarship until June 30 following the completion of the seventh full year after the first of one of the following events has occurred:
 - a. His or her high school graduation date; or
 - b. His or her Home Study program completion date; or
 - c. His or her petition date where his or her diploma was received pursuant to the local school board in accordance with O.C.G.A. §20-2-281.
 - i. A student is not eligible for payment for any term prior to his or her petition date where his or her diploma was received.

4005.17.3. Military Service Extension Request.

1. A student that serves on active duty in the United States Armed Forces during the seven or ten year period after his or her high school graduation or Home Study completion may request that active duty period of military service be added to the eligibility limit.

4005.17.4. ADA Limited Extension Request.

1. Students with a disability, as defined in the federal Americans with Disabilities Act, 42 U.S.C. Section 12102, which has prevented full-time enrollment while pursuing an undergraduate Degree, may request a limited extension from the applicable eligibility limit for additional time. In order for a student to submit an ADA limited extension request, the following criteria must be met:
 - a. Have a seven year or ten year eligibility limit;
 - b. Have not reached or exceeded the Attempted-Hours or Paid Hours limits;
 - c. Have received the Zell Miller Scholarship and meets all eligibility requirements;
 - d. Have been enrolled at a postsecondary institution each academic year unless there is a documented long-term illness;
 - e. Each term of enrollment is less than full time (12 hours or more) due to the disability;
 - f. Provide proper documentation by a medical professional indicating the date the disability began and the impact on the student's college academics and enrollment.

4005.17.5. No Expiration Limit.

1. A student who received his or her first HOPE Scholarship payment prior to Summer term 2011 (FY2012) is not subject to the Expiration of Eligibility Limits.

4005.18. Eligibility after Losing Zell Miller Scholarship at Two Checkpoints.

1. A Zell Miller Scholarship recipient who has lost Zell Miller Scholarship Eligibility at two Checkpoints cannot regain Eligibility. A student must have been receiving the Zell Miller Scholarship to be considered as having lost the Zell Miller Scholarship.

4006. Eligible and Ineligible Coursework.

4006.1. Transient Coursework.

1. A Transient student is eligible to receive Zell Miller Scholarship payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be Eligible Postsecondary Institutions.
2. The Host Institution awards Zell Miller Scholarship funds to the Transient student based on certification of eligibility from the Home Institution.
 - a. The Home Institution is responsible for verifying the eligibility of their Transient students. The Zell Miller Scholarship award must be the amount the student would normally receive at the Host Institution if he or she were a regular student.
 - b. The Host Institution must report Zell Miller Scholarship payment for Transient students to GSFC in the same manner it reports Zell Miller Scholarship payments for its regular students.
 - i. Upon the student's return to the Home Institution, the Home Institution must receive from the Host Institution information necessary for the Home Institution to determine continued Zell Miller Scholarship eligibility.
3. The Home Institution is liable for the return of funds the student receives at the Host Institution, if the Home Institution erroneously certifies the student's eligibility to the Host Institution.

4006.2. Distance Learning Coursework.

1. A student participating in Distance Learning coursework is eligible to receive Zell Miller Scholarship payment if all other eligibility requirements are met.

4006.3. Study Away Coursework.

1. A student Enrolled in a Matriculated status at an Eligible Postsecondary Institution is eligible to receive Zell Miller Scholarship payment while participating in a Study Away program.
2. The Home Institution must have a written agreement with the institution (foreign or non-Eligible Postsecondary Institution) or a single written arrangement with a study-abroad organization to represent an agreement between the Home Institution and the institution at which a student is participating in a Study Away program.
3. A student's Home Institution must approve the Study Away program courses for credit toward the student's Degree program prior to the student's departure.
4. The Zell Miller Scholarship award must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted.

- a. Where the actual tuition at the Host Institution is less than the Zell Miller Scholarship award rate for the Home Institution, the Zell Miller Award shall not exceed the actual tuition rate.
5. The Home Institution must maintain documentation of the student's actual tuition charges for the Study Away program at the Host Institution.
6. At the time of disbursement, a current enrollment verification for the student from the Host Institution indicating the courses and number of hours must be on file with the Home Institution.
7. The Zell Miller Scholarship payment must take place through the Home Institution. The earned Zell Miller award may be refunded to the student, if the student has prepaid the Study Away institution prior to the Zell Miller disbursement.
8. The Eligible Postsecondary Institution must have on file the student's written or electronic permission to have any specific fees withheld from the Zell Miller disbursement.
9. If the student is participating in a Study Away program administered by another Eligible Postsecondary Institution, the Transient student process described in *Section 4006.1.* of these regulations must be followed.

4006.4. Board of Regents Test Preparation Coursework.

1. A student seeking a Degree at a USG Eligible Postsecondary Institution who is required to participate in coursework to prepare for the Board of Regent's Test (Examination) is eligible to receive Zell Miller Scholarship for such coursework. Credit hours attempted for such coursework must be counted as Attempted- Hours and included in the Combined Paid-Hours limit.

4006.5. First Professional Degree Program.

1. A student enrolled in a First Professional Degree Program may receive Zell Miller Scholarship payment until such student has attempted 127 semester or 190 quarter hours.

4006.6. Joint Enrollment and Dual Credit Enrollment Coursework.

1. A student is ineligible for Zell Miller Scholarship payment for Degree coursework attempted while participating in Joint Enrollment or Dual Credit Enrollment.
2. Coursework attempted while participating in Joint Enrollment or Dual Credit Enrollment must not be counted as Attempted-Hours for a student who graduates as a Zell Miller Scholarship Scholar.

4006.7. Learning Support Coursework.

1. A student seeking a Degree who Enrolls in Learning Support coursework is ineligible for Zell Miller Scholarship payment for such coursework. Such Learning Support credit hours must not count as Attempted-Hours and toward the Combined Paid-Hours limit, except as specified in *Section 4005.14.2.e*.

4006.8. Coursework Exemptions.

1. A student is ineligible to receive Zell Miller Scholarship payment for coursework that was exempted or given credit by examination, testing, training, or experience.

4006.9. Continuing Education and Audit Coursework.

1. A student is ineligible to receive Zell Miller Scholarship payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework, and such coursework is not counted as Attempted-Hours.

4006.10. Total Withdrawal from Coursework.

1. A student is ineligible for Zell Miller Scholarship payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal (refer to *Section 4010.1.1.a.*). Such coursework is not counted as Attempted-Hours.

4007. Student Application Requirements.

4007.1. Application Forms.

1. In order to be considered for a Zell Miller Scholarship, a student must complete one of the following application forms:
 - a. GSFAPP; or
 - b. Current year FAFSA.
 - i. A student who applies for Zell Miller Scholarship by completing and submitting a FAFSA must complete and submit a new FAFSA for each Award Year.
2. In addition to one of these two applications, an Eligible Postsecondary Institution may require students to complete the Eligible Postsecondary Institution's application for student financial aid or other forms to provide supplemental information for the purpose of determining Zell Miller Scholarship eligibility.
3. Once a student has submitted a GSFAPP, and it has been accepted on GSFC's system as a valid application, it will remain on GSFC's system as a valid application for 120 consecutive months following the application's approval date.
 - a. The student's application will remain valid during the 120 month period, regardless of whether or not an Eligible Postsecondary Institution submits a Zell Miller Scholarship invoice to GSFC on behalf of the student during the 120 month period. Upon conclusion of the 120 month period, the student's application will expire.
 - b. Once an application has expired, the student will be required to submit a new application in order for a Zell Miller Scholarship invoice to be processed for the student by GSFC.
 - c. If during the original application's 120 month period, the student submits to GSFC a new application for Zell Miller Scholarship, or an application for a program other than Zell Miller Scholarship, both applications will remain valid for 120 consecutive months following the second application's approval date.
 - d. The above stipulations apply to all GSFAPP accepted as valid applications on GSFC's system, including such applications that were submitted to and accepted by GSFC prior to the 2008-2009 Award Year.

4007.2. Application Deadline Date.

1. A student must file a GSFAPP or FAFSA on or before the last day of the school term (semester or quarter) or the student's withdrawal date, whichever occurs first, in order to be paid for that school term.
 - a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later. Supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility.
2. The Application Deadline Date for a student who is seeking a retroactive Zell Miller Scholarship payment, (refer to *Section 4005.4.*), is extended to the school term immediately following the school term in which he or she attempted thirty (30) semester or forty-five (45) quarter hours.
 - a. Such student must file an application on or before the last day of the school term that immediately follows the school term in which he or she attempted thirty (30) semester or forty-five (45) quarter hours, or the student's withdrawal date, whichever occurs first.
3. The Application Deadline Date for a student who is seeking Zell Miller Scholarship payment retroactively due to a grade change or a grade being reported for Degree hours previously appearing on a student's transcript as incomplete (refer to *Section 4005.3.*) is extended to the school term immediately following the school term in which the grade was changed, or a grade was reported for Degree hours previously appearing on a student's transcript as incomplete.
 - a. Such student must file an application on or before the last day of the school term that immediately follows the school term in which the grade was changed or reported for Degree hours, or the student's withdrawal date, whichever occurs first.

4007.3. Application for Subsequent Years.

1. It is not mandatory, except as provided for in *Section 4007.1.1.b.i.*, for a student to complete a new application for the Zell Miller Scholarship each Award Year. However, Eligible Postsecondary Institutions may have separate application requirements.

4008. Award Requirements.**4008.1. Awards at Eligible USG or TCSG Institutions.**

1. The Zell Miller Scholarship Award Amount at a USG or TCSG Institution is equal to the current academic year Standard Undergraduate Tuition amount, on a per hour basis, at the Eligible Postsecondary Institution in which the student is Enrolled, up to a maximum of 15 hours per term.
 - a. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term.
2. Where the actual Tuition rate charged for a course is less than the standard undergraduate rate, the Zell Miller Award shall not exceed the approved Zell Miller award amount, or the actual Tuition rate charged, whichever is less.
3. No award is to exceed the approved Zell Miller Scholarship per hour award amount.

4008.2. Awards at Eligible Private Postsecondary Institutions.**1. Full-Time Awards.**

The Zell Miller Scholarship award amounts per semester or quarter for a Full- Time student are provided below. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term. A student who meets all eligibility requirements may receive payment for three semesters or four quarters for the Award Year.

Term	FY	Semester System	Quarter System
Summer 2024	25	\$2,985.00	\$2,034.00
Fall 2024	25	\$2,985.00	\$2,034.00
Winter 2025	25	Not Applicable	\$2,034.00
Spring 2025	25	\$2,985.00	\$2,034.00
Summer 2025	26	\$2,985.00	\$2,034.00

2. Half-Time Awards.

The Zell Miller Scholarship award amounts per semester or quarter for a Half- Time student are provided below. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term. A student who meets all eligibility requirements may receive payment for three semesters or four quarters for the Award Year.

Term	FY	Semester System	Quarter System
Summer 2024	25	\$1,493.00	\$1,017.00
Fall 2024	25	\$1,493.00	\$ 1,017.00
Winter 2025	25	Not Applicable	\$ 1,017.00
Spring 2025	25	\$1,493.00	\$ 1,017.00
Summer 2026	26	\$1,493.00	\$ 1,017.00

3. Per Credit Hour Awards.

- a. For a student Enrolled at least Half-Time (6-11 hours) during a term in which he or she reaches the Attempted-Hours and/or the Combined Paid-Hours limit such student can only receive payment for hours up to the limit.

Hours to Reach Limit	Semester System	Quarter System
1-5	\$249.00 per hour	\$170.00 per hour
6-11	\$1,493.00	\$ 1,017.00

- b. For a student Enrolled Full-Time (12 or more hours) during a term in which he or she reaches the Attempted-Hours and/or the Combined Paid-Hours limit such student can only receive payment for hours up to the limit.

Hours to Reach Limit	Semester System	Quarter System
1-11	\$249.00 per hour	\$170.00 per hour

- c. For a student who is enrolled at two or more Eligible Postsecondary Institutions during a single term, the student can only receive payment for hours up to the term limit of 15.

	Semester System	Quarter System
Per Credit Hour	\$249.00	\$170.00

4008.3. Awards Per School Term.

1. The Zell Miller Scholarship is available to students for the standard school terms of Summer, Fall, and Spring semesters or Summer, Fall, Winter, and Spring quarters.
 - a. An Eligible Postsecondary Institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter.
 - b. An Eligible Postsecondary Institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student may be awarded Zell Miller Scholarship funds for a maximum of three semesters or four quarters per Award Year.

4008.4. Student Notification of Award.

1. An Eligible Postsecondary Institution must notify each Zell Miller Scholarship recipient of the amount of Zell Miller Scholarship funds he or she is awarded for the Award Year and identify such funds as a Zell Miller Scholarship award.
2. A student who wishes to decline a Zell Miller Scholarship award must do so actively.

The Eligible Postsecondary Institution must maintain a record of the student's notification to the Eligible Postsecondary Institution that he or she is declining the award.

- a. A student's decision to decline the Zell Miller Scholarship award becomes final and irrevocable on the last day of the term for which the Zell Miller Scholarship award was made.

4008.5. Effect of Other Aid on Zell Miller Scholarship Eligibility.

1. Zell Miller Scholarship funds can only be applied to Tuition, not other expenses such as room and board.
2. If a student is receiving student financial aid from a source other than the Zell Miller Scholarship and such aid is required by the donor to be applied to the student's Tuition, then the student's Zell Miller Scholarship award must be reduced by the amount of such aid.
3. A student's Zell Miller Scholarship award amount for Tuition is not reduced if the student is receiving financial aid that is applied to educational expenses other than Tuition, even if the student's total aid exceeds his or her Cost of Attendance.

4009. College HOPE Eligibility Calculation Service (CHECS) Reporting Requirements.

4009.1. CHECS.

1. Effective Fall term 2018 (FY2019), all Eligible Postsecondary Institutions must comply with the College HOPE Eligibility Calculation Service (CHECS) requirements, including timely submission of all student academic transcript data for HOPE and Zell Miller Scholarship and Grant GPA calculation, checkpoint and hours.
2. All Eligible Postsecondary Institutions must utilize the College HOPE Eligibility Calculation Service (CHECS) eligibility determinations beginning Winter quarter and Spring semester 2019 (FY2019) in regard to student award determinations and disbursements.
 - a. CHECS calculation records are subject to change and may not have the complete academic transcript data. Calculations are dependent upon Eligible Postsecondary Institutions submitting accurate and complete transcript data.
 - b. Eligible Postsecondary Institutions are required to report cases of incomplete or conflicting academic information and should not award based on data identified as conflicting or incomplete.
3. Eligible Postsecondary Institutions are required to obtain academic transcripts from institutions a student has attended previously with degree level coursework or coursework accepted for degree credit.
4. The Eligible Postsecondary Institution must submit, for the ending term, transcript data records that result in CHECS calculations prior to the upcoming term invoices being paid.
 - a. Invoices for any term will be held in a pending status until transcript data records for the preceding term are submitted and CHECS calculations are processed.
 - b. An invoice submitted and paid for a student that is later found to be academically ineligible due to updated transcript data records submitted in CHECS will be classified as academically ineligible. The disbursed funds for an academically ineligible invoice must be returned to GSFC or the invoice must be canceled.
5. Academic transcript data must be submitted regardless of any unpaid balance owed to the Postsecondary Institution.

4010. Invoicing Requirements.**4010.1. Submission of Invoices.**

1. Invoices must be submitted through GSFC's online invoicing system, Scholarship Up-to-date Records for Electronic Reporting (SURFER), processed, and approved by GSFC by the Invoicing Deadline Date as established by GSFC. Each invoice submitted by the Eligible Postsecondary Institution must include Enrolled-Hours, Paid-Hours, Learning Support hours and the student's program of study information, when applicable to the program.
 - a. In the event invoices are submitted to GSFC by Eligible Postsecondary Institutions after the Invoicing Deadline Date for a school term, GSFC may issue a notice of failure to meet the Invoicing Deadline Date to the President and/or governing body of the Eligible Postsecondary Institution and the invoices may not be honored.
2. Eligible Postsecondary Institutions may submit Zell Miller Scholarship invoices to GSFC as early as 15 calendar days prior to the first day of classes for the school term.
3. Invoices for any term will be held in a pending status until transcript data records for the preceding term are submitted and CHECS calculations are processed. The CHECS calculation is required to determine continued academic eligibility.
 - a. Effective Winter quarter and Spring semester 2019 (FY2019), the majority of transcript data records for Fall term 2018 (FY 2019) must be reported and CHECS calculations performed prior to Winter quarter or Spring semester 2019 (FY2019) invoices being paid.
4. Prior to the beginning of any award year, and no later than June 30 of each year, GSFC shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.
5. Invoices submitted after the Invoicing Deadline Date may be honored or paid if the failure to meet the date was because of:
 - a. The need for supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's eligibility; or
 - b. Late grades, late completions, grade changes; or
 - c. Other adjustments made to the student's official academic transcript that resulted in a change in eligibility, and the student met all other eligibility requirements prior to the deadline.

6. The President of GSFC has sole discretion in the determination of invoice deadlines and extensions. The decision of the President of GSFC shall be final.

4010.2. Payment of Invoices.

1. Zell Miller Scholarship funds are paid to Eligible Postsecondary Institutions by electronic transfer of funds on behalf of eligible students each school term, upon submission to GSFC of a Zell Miller Scholarship invoice.

4010.3. Tuition Payments.

1. Upon receipt of Zell Miller Scholarship payments from GSFC, the Eligible Postsecondary Institution must credit the amount of payment, on behalf of an eligible student to the student's Tuition.

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4011. Return of Funds Requirements.**4011.1. Calculation of Return of Funds.**

1. If a student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund due to the adjustment of tuition charges, a portion of such refund may need to be returned to the Zell Miller Scholarship fund.
 - a. A student is ineligible for the Zell Miller Scholarship for coursework from which he or she totally withdrew, as long as such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal.
 - b. If the Eligible Postsecondary Institution invoiced GSFC prior to a student's total withdrawal, then the Eligible Postsecondary Institution must cancel the student's Zell Miller Scholarship award for that term, through the SURFER system.
2. To determine the refund due to the Zell Miller Scholarship Program, the Eligible Postsecondary Institution must first apply the Federal Title IV Programs Return of Funds policy for any federal aid the student may have received.
 - a. If applicable, the Eligible Postsecondary Institution must then apply the Eligible Postsecondary Institution's refund policy, which may or may not be identical to the Federal Title IV Programs Return of Funds policy, to the student's original Zell Miller Scholarship award.
3. The Eligible Postsecondary Institution must determine the amount of the refund due back to the Zell Miller Scholarship Program. The amount of the Zell Miller Scholarship award not determined to be owed back to the Zell Miller Scholarship Program is retained by the Eligible Postsecondary Institution to cover the institution's cost for the portion of the school term that the student was enrolled.
 - a. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within forty-five (45) calendar days of the determination.
 - b. If the student only received Zell Miller Scholarship funds, the Eligible Postsecondary Institution should return the funds determined to be owed to the Zell Miller Scholarship Program within forty-five (45) calendar days of the refund determination. The Eligible Postsecondary Institution would then collect the refund amount from the student.
 - i. The student should not be reported with a "refund due" status to GSFC since the funds have been repaid to GSFC.

4. If the student received a combination of Federal Title IV Programs funds and Zell Miller Scholarship funds, the Eligible Postsecondary Institution may not have sufficient funds on hand from the student's award disbursements to return to GSFC, the refund owed to the Zell Miller Scholarship Program, after applying the Federal Title IV Programs Return of Funds policy.
 - a. In this instance, the student is considered to have a "refund due" to GSFC and the Eligible Postsecondary Institution must report the student to GSFC with a "refund due" status.

4011.2. Collection of Refunds.

1. A borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFC will notify the borrower that they are in default and GSFC intends to proceed with any of the remedies listed in this subsection. The borrower will be given 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

4011.3. Emergency Military Duty.

1. A student who is a member of the United States Armed Forces, National Guard, or Military Reserve Forces receiving funds from the Zell Miller Scholarship Program who is called to emergency military duty during a school term that is already in progress should not have his or her Zell Miller Scholarship eligibility negatively impacted.
2. If the Eligible Postsecondary Institution the student attends allows the student to totally withdraw and receive a grade such as "WM" for military withdrawal or the Eligible Postsecondary Institution totally removes all grades for that term and corresponding credit hours from the student's records, the Eligible Postsecondary Institution should return the full amount of the Zell Miller Scholarship award to the Zell Miller Scholarship account.
3. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the United States Armed Forces, as determined by the president of the Eligible Postsecondary Institution that such student is attending.

4012. Reconciliation Requirements.

4012.1. Term Reconciliation.

1. Eligible Postsecondary Institutions must conduct a Term Reconciliation by the end of each term. A Term Reconciliation consists of an official acknowledgement by an authorized school official, through Postsecondary Functions that the number of students submitted for payment total invoiced, the number of invoices paid and total disbursed by GSFC to the Eligible Postsecondary Institution is accurate on that date.
 - a. GSFC will not issue any state scholarship or grant funds for the following term until the Term Reconciliation is complete.
 - i. Invoices in an academically ineligible status must be addressed and fully resolved before term reconciliation can be completed.
 - b. Funds are not returned to GSFC as part of the Term Reconciliation process.

4012.2. Fiscal Year End Reconciliation.

1. Eligible Postsecondary Institutions must conduct the Fiscal Year End Reconciliation consisting of an official acknowledgement by an authorized school official, through Postsecondary Functions verifying, student by student, the accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to the student's Enrolled-Hours, Paid-Hours, Learning Support, academic eligibility status as determined by the CHECS calculations, and program of study information, when applicable to the program.
 - a. Any pending rejected or academically ineligible invoices must be fully resolved prior to Fiscal Year End Reconciliation.
 - b. Reconciliation certification forms must be completed and submitted electronically, through Postsecondary Functions by July 15, immediately following the completion of the Fiscal Year for each State Program.
 - c. Return to GSFC any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
 - d. GSFC will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
 - e. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

4013. Records Retention Requirements.

4013.1. Length of Retention.

1. An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the Zell Miller Scholarship Program, including, but not limited to individual student files for whichever is longer:
 - a. Three years after the Award Year in which the aid was awarded; or
 - b. For such other period as required by an applicable statute, rule, or regulation; or
 - c. Such other time as requested in writing by GSFC.

4013.2. Documentation.

1. Documentation contained within an individual student file or record, which supports the original determination of a student's eligibility, must be retained by the Eligible Postsecondary Institution and available for review by GSFC on the Eligible Postsecondary Institution's campus, located within the State of Georgia, for at least three calendar years after the most recent Award Year for which the student received Zell Miller Scholarship funds (refer to *Section 4015.*).
2. Eligible Postsecondary Institutions are permitted to maintain these documents in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
 - a. Such documentation may include but is not limited to copies of permanent resident alien cards, Georgia state income tax returns, student financial aid applications and academic transcripts from previous institutions.
 - b. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the Eligible Postsecondary Institution's financial aid office.
 - c. Documentation supporting a student's eligibility that is received and maintained by the Eligible Postsecondary Institution's admissions office, registrar's office, business office, or other administrative operations of the Eligible Postsecondary Institution must be available to GSFC for the purpose of Compliance Reviews.
3. It is the Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing Zell Miller Scholarship funds to the student.

4013.3. Extended Retention.

1. An Eligible Postsecondary Institution may be required to retain student records involved in a Compliance Review Audit or investigation for more than the three- year retention period set forth in *Section 4013.1*. If the three-year retention period expires before the issue in question is resolved, the Eligible Postsecondary Institution must continue to retain all associated records until resolution is reached.

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4014. Administrative Reviews and Exceptions.

1. As provided by this section, a student may request an Administrative Review of the application of a Zell Miller Scholarship rule, policy or regulation if the student believes such rule, policy or regulation was incorrectly or improperly applied or a student may request an Exception to a Zell Miller Scholarship rule, policy or regulation if there are exceptional circumstances warranting the request.

4014.1. Administrative Reviews.

1. The Zell Miller Scholarship regulations are applied to each student considered for Zell Miller Scholarship funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFC.
2. If a student believes a Zell Miller Scholarship rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with GSFC.
3. In order for a request for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFC's office within forty-five (45) calendar days of receiving notice of denial from the Eligible Postsecondary Institution or GSFC. If additional information is requested from the student, it must be provided within the time frame specified by GSFC.
 - a. GSFC will review the case and determine whether the rule or regulation was applied correctly and notify the student and Eligible Postsecondary Institution of the determination.
 - b. GSFC decides a case based only on documentation provided, rather than a personal presentation.

4014.2. Requesting an Exception.

1. The Board of Commissioners of GSFC may grant a Zell Miller Scholarship award to a student who fails to meet the regulatory requirements for Zell Miller Scholarship funds in very limited and exceptional cases, as provided by *Section 4014.3* Guidelines for Approval of an Exception Request. The Board of Commissioners has sole discretion to grant an Exception based on the circumstances presented by a student who has incurred a loss of Zell Miller Scholarship eligibility.
 - a. No student has the right to a Zell Miller Scholarship award under any circumstances described in *Section 4014.4*.
 - b. No student has the right to appeal the denial of an Exception by the Board of Commissioners.

- c. Each individual Zell Miller Scholarship recipient is limited to one Exception, as granted by the Board of Commissioners, and such Exception shall only apply to one school term, during which Zell Miller Scholarship funds were received.
 - d. The authority of the Board of Commissioners to grant Exceptions, hereunder, extends only to the determination of Attempted-Hours and/or Paid-Hours, and only to the extent such Exceptions would not be contrary to state law. The Board of Commissioners does not have authority to revise a student's Postsecondary Calculated HOPE GPA or waive the requirements that a student attain or maintain a specific Postsecondary Calculated HOPE GPA as otherwise required herein or by law.
2. Exceptions may be granted for extenuating circumstances such as:
- a. Serious Illness, Psychiatric Disorder, or Serious Injury experienced by the student; or
 - b. Death of an Immediate Family Member and/or step-parent, step-child or step-sibling; or
 - c. Immediate Family Member and/or step-parent, step-child or step-sibling experienced a Serious Illness, Psychiatric Disorder, or Serious Injury and the student had to provide temporary care of the family member.
 - d. In cases where Serious Illness, Psychiatric Disorder or Serious Injury is the basis for an Exception request, the Serious Illness must have been treated, Psychiatric Disorder must have been diagnosed, or Serious Injury must have been sustained within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
 - e. In cases where death of a family member, as listed above, is the basis for an Exception request, the family member's death must have occurred within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
3. The GSFC Board of Commissioners' decision to approve or deny an Exception request is final and cannot be appealed. In order for an Exception to be considered:
- a. A student who withdrew completely from a term and lost eligibility at a Checkpoint must submit a written request for an Exception no later than the last day of the term of re-enrollment.
 - b. A student who previously withdrew completely from a term but did not lose eligibility and is reaching the Attempted-Hours or Paid-Hours limit, must submit a written request for an Exception during the term in which the student has reached or is within 15 hours of the Attempted-Hours and/or Paid-Hours Limit.

- c. Omission of documentation or incomplete requests may not be considered by the GSFC Board of Commissioners and may result in an automatic denial.
 - d. Requests for an Exception may be submitted to GSFC via US mail, email, or hand delivery. All required documentation must be provided at the time of submission.
4. Items required to be considered for an Exception by GSFC must be received by close of business on the deadline date listed below. These items are to be received by GSFC in one complete packet. Incomplete packets may not be considered. In some cases, it may be necessary to wait until the next board meeting to convene before a decision can be rendered.

a. Deadline Submission Dates

Submission Deadline	Board Meeting
First Friday in July	August
First Friday October	November
First Friday in January	February
First Friday in April	May

5. GSFC staff shall review each request for Exception to determine whether such request satisfies the Guidelines for Approval of an Exception Request set forth in *Section 4014.3*.

Each request for Exception that has been determined by GSFC staff to satisfy the Guidelines for Approval of an Exception Request set forth in *Section 4013.3*, shall be summarized by staff and presented to the Public Policy and Law Committee of the Board of Commissioners. The requests for Exceptions shall be approved or denied by the Public Policy and Law Committee. The Committee's decisions are then presented to the full Board for approval or denial.

- a. GSFC staff will notify the student of the Board of Commissioners' decision within seven calendar days of the approval or denial.
 - b. The Board of Commissioners has heretofore authorized staff to deny, on its behalf, each request for Exception that has been determined by GSFC to fall within the Guidelines for Denial of an Exception Request set forth in *Section 4013.4*. Such requests for Exception shall not be presented to the Public Policy and Law Committee of the Board of Commissioners, unless the student, having been informed of the denial, shall have requested that such request be submitted to the Public Policy and Law Committee, by the deadline set forth in *Section 4014.2.4*. above.
6. Exceptions granted by the Board of Commissioners shall provide for the forgiveness of postsecondary Attempted-Hours and/or Paid-Hours, but:

- a. In no case or circumstance shall a student's postsecondary grade(s), as determined by the student's postsecondary institution, be forgiven or altered by the Board of Commissioners.
- b. Under no circumstances, shall an Exception be made regarding student data submitted to GSFC by a student's high school for purposes of determining the student's eligibility for a Zell Miller Scholarship.

4014.3. Guidelines for Approval of an Exception Request.

1. GSFC staff, in its summary, shall classify each request for an Exception based on the information presented. The classifications are for guidance only. Final approval or denial of an Exception request is subject to the Board's sole discretion. The classifications are based on the following guidelines:

A1Z Requests for an Exception may be granted for a Zell Miller Scholar who has reached a Checkpoint and lost Zell Miller Scholarship eligibility without yet earning a Postsecondary Calculated HOPE GPA or a student who has reached an Attempted-Hours Checkpoint for entry into the Zell Miller Scholarship Program without yet earning a Postsecondary Calculated HOPE GPA, where such failure to earn a Postsecondary Calculated HOPE GPA is the result of having withdrawn from, or taken Incompletes, in all coursework during a term due to an extenuating circumstance listed in *Section 4014.2.2*.

1. This Exception provides for Zell Miller Scholarship retroactive payment from the point at which the student lost Zell Miller Scholarship eligibility or from the point at which the student reached an Attempted-Hours Checkpoint for entry into the program if the student has at least a 3.30 Postsecondary Calculated HOPE GPA after attempting 12 hours of coursework for which he or she received letter grades (A=4.00, B=3.00, C=2.00, D=1.00, F=0.0).
2. The Attempted-Hours and/or Paid-Hours from which the student withdrew may be forgiven if the student's total length of eligibility for Zell Miller Scholarship is extended.

A2Z Requests for an Exception may be granted for a Zell Miller Scholarship recipient who completely withdrew from all courses during a term and has exceeded the Attempted-Hours and/or Paid-Hours limit for the Zell Miller Scholarship or has 15 semester hours or less remaining to reach the Attempted-Hours and/or Paid-Hours limit. By forgiving the hours from which the student withdrew, the student's total length of eligibility for Zell Miller Scholarship is extended, if:

1. The student experienced an extenuating circumstance listed in Section 4014.2.2; and
2. The student remains academically eligible to receive the Zell Miller Scholarship.

A3Z Requests for an Exception may be granted for a Zell Miller Scholarship recipient who lost Zell Miller Scholarship eligibility at a Checkpoint due to a complete withdrawal from a term, if:

1. The student experienced an extenuating circumstance listed in Section 4014.2.2; and
2. The student has at least a 3.30 Postsecondary Calculated HOPE GPA at the new Attempted-Hours Checkpoint (withdrawal hours not included).
 - a. By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's Attempted-Hours Checkpoint is delayed by a term or terms and the student's total length of eligibility for a Zell Miller Scholarship is extended. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine, if:
 - i. The student achieves at least a 3.30 Postsecondary Calculated HOPE GPA at the new Attempted-Hours Checkpoint (once hours are forgiven); and
 - ii. The student is eligible to retain a Zell Miller Scholarship and to be reimbursed from the point at which the student lost his or her Zell Miller Scholarship eligibility.

A4Z Requests for an Exception may be granted for a Zell Miller Scholarship recipient who lost Zell Miller Scholarship eligibility at an Attempted-Hours Checkpoint or exceeded the Attempted-Hours and/or Paid-Hours limit during a term with a partial withdrawal, if:

1. The student experienced an extenuating circumstance listed in *Section 4014.2.2* and the Eligible Postsecondary Institution made it compulsory for the student to withdraw from a course(s); and
2. The student has at least a 3.30 Postsecondary Calculated HOPE GPA at the new Attempted-Hours Checkpoint (once hours are forgiven and all "incomplete" grades are reported).
 - a. By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's Attempted-Hours Checkpoint is delayed by a term or terms and the student's total length of eligibility for a Zell Miller Scholarship is extended. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine, if:
 - i. The student achieves at least a 3.30 Postsecondary Calculated HOPE GPA at the new Attempted-Hours Checkpoint (withdrawal hours not included); and

- ii. The student is eligible to retain a Zell Miller Scholarship and to be reimbursed from the point at which the student lost his or her Zell Miller Scholarship eligibility.

A5Z Requests for an Exception may be granted for a Zell Miller Scholarship recipient who lost his or her Zell Miller Scholarship eligibility at an End-of-Spring or Three-Term Checkpoint with a Postsecondary Calculated HOPE GPA greater than 0.00 but less than 3.30 or exceeded the Attempted-Hours and/or Paid-Hours limitations during a term with a partial withdrawal, if:

1. The student experienced an extenuating circumstance listed in Section 4014.2.2 and the Eligible Postsecondary Institution made it compulsory for the student to withdraw from a course(s); and
2. The student has at least a 3.30 Postsecondary Calculated HOPE GPA at the next Attempted-Hours Checkpoint (withdrawal hours not included and all “incomplete” grades are reported).
 - a. By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew the student’s total length of eligibility for the Zell Miller Scholarship is extended.
 - i. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine if the student achieves at least a 3.30 Postsecondary Calculated HOPE GPA at the next Attempted-Hours Checkpoint (withdrawal hours not included).

A6Z Requests for an Exception may be granted for a Zell Miller Scholarship recipient who withdrew from all courses during a term because the student was required to report for active duty service in the United States Armed Forces outside the state of Georgia or for deployment overseas, so that by forgiving the Paid-Hours from which the student withdrew, the student’s total length of eligibility for Zell Miller Scholarship is extended, if:

1. The student can show that his or her active service began during the term from which he or she withdrew; and
2. The student remains academically eligible to receive the Zell Miller Scholarship.

4014.4. Guidelines for Denial of an Exception Request.

1. GSFC staff, in its summary, shall classify each request for an Exception based on the information presented. The classifications are for guidance only. Final approval or denial of an Exception request is subject to the Board’s sole discretion. The classifications are based on the following guidelines:

- D1Z** If it is Mathematically Impossible for the student to have at least a 3.30 Postsecondary Calculated HOPE GPA at the new 30- 60- or 90- semester-hour (45- 90- or 135-quarter-hour) Zell Miller Scholarship Checkpoint, even after withdrawal hours are forgiven.
- D2Z** If the student does not provide a request for an Exception in writing as set forth in section 4014.2.3.
- D3Z** If the basis of the request is the diagnosis of or presence of a learning disability.
- D4Z** If the underlying cause for the student's request for an Exception is attributed to a criminal act committed by the student, that resulted in a conviction or a plea of guilty or nolo contendere.
- D5Z** If the basis of an Exception request is to have a student's postsecondary grade(s), as determined by the student's postsecondary institution, forgiven or altered by the Board of Commissioners.
- D6Z** If the basis of the request is student data submitted to GSFC by a student's high school for purposes of determining the student's eligibility for a Zell Miller Scholarship.
- D7Z** If the basis of the request is a Serious Illness, Serious Injury or Psychiatric Disorder that was not sustained, diagnosed or treated within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
- D8Z** If the basis of the request is the death of an Immediate Family Member and/or step-parent, step-child or step-sibling, and the death did not occur within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
- D9Z** If the student did not receive HOPE Scholarship or Zell Miller Scholarship funds during the term of withdrawal.
- D10Z** If the request seeks an Exception from the laws governing the Zell Miller Scholarship Program.
- D11Z** If the student is still beyond the Attempted-Hours and/or Paid-Hours limit even if the hours from which the student withdrew are forgiven.
- D12Z** If the basis of the request is a reason other than those specifically listed in *Section 4014.3*.

4015. Compliance Reviews.**4015.1. Compliance Review Policy.**

1. GSFC shall conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the Zell Miller Scholarship Program in order to assess institutional administration of the program and compliance with the program's regulations. Such Compliance Reviews shall be conducted no less frequently than once every three years in accordance with GSFC's *Compliance Review Process and Procedures* document, which is available at gsfc.georgia.gov, under *Information for School Compliance*.

4015.2. Compliance Review Process.

1. GSFC selects a sampling of the Eligible Postsecondary Institution's Zell Miller Scholarship recipients for the Award Year under review, and the Eligible Postsecondary Institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution (refer to *Section 4013*.).
 - a. GSFC will exclude Residency determinations as they relate to *Section 4004.2.1*, and SAP determinations made for Zell Miller Scholarship recipients, in the selected sample of any USG or TCSG institution that has submitted a signed certification to GSFC's Compliance Department by the President of the Eligible Postsecondary Institution that:
 - i. The Eligible Postsecondary Institution is in compliance with its policies and procedures in the determination and the administration of the financial aid award process relative to Residency requirements and SAP; and
 - ii. The Residency and SAP determinations have been fairly and consistently applied with respect to all students receiving the Zell Miller Scholarship award.
 - b. Such certification must be submitted annually to the Compliance Department of GSFC in the format required by GSFC.
 - i. Failure to provide such certification will result in a review of Residency determinations and SAP determinations made for Zell Miller Scholarship recipients in the selected sample.

4015.3. Institutional Repayment.

1. In the event it is determined that an Eligible Postsecondary Institution knowingly, or through error, certified an ineligible student to be eligible for Zell Miller Scholarship, the amount of such scholarship shall be refunded by the Eligible Postsecondary Institution to GSFC.

2. GSFC may suspend an Eligible Postsecondary Institution from receiving Zell Miller Scholarship payments if it fails to timely refund any monies deemed due based on the Compliance Review.
3. Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts such statement or misrepresentation knowing it to be false, for the purpose of enabling an ineligible student to wrongfully obtain a Zell Miller Scholarship award shall be guilty of a misdemeanor.
4. If evidence not available at the time of awarding indicates that a student should not have received the Zell Miller Scholarship payment, then all future Zell Miller Scholarship awards for that student must be canceled.
 - a. The Eligible Postsecondary Institution is held harmless by GSFC, if the student's file is adequately documented with available evidence and it is determined by GSFC that the Eligible Postsecondary Institution was not at fault.
 - b. Evidence is considered unavailable at the time of awarding if it is not available in the student's institutional files (i.e., financial aid, admissions, registrar, etc.).
5. The Eligible Postsecondary Institution must notify the student and GSFC of a refund due to GSFC.
6. The student will be ineligible to receive additional state aid from GSFC until the repayment is paid in full, in accordance with *Section 4011.2*.
7. If GSFC determines the student's file is not adequately documented, the Eligible Postsecondary Institution may be solely responsible for the repayment.

EXHIBIT 4

Dual Enrollment Program

Regulations – 1600.

2024- 2025 Award Year



Effective Date – July 1, 2024

GSFC | Georgia Student
Finance Commission

2082 East Exchange Place
Tucker, Georgia 30084

1601. Table of Contents.

Section	Page
1601. Table of Contents.	2
1602. Program Overview.	5
1603. Definitions. (Electronic Link)	6
1604. Program Specific Eligibility Requirements.	6
1604.1. General Eligibility.....	6
1604.2. Grade Level Eligibility.	6
1604.3. Age Limit.....	6
1604.4. Enrollment Status.	7
1604.5. Length of Eligibility.....	7
1604.6. Funding Cap.....	7
1604.7. Course Withdrawals and Retaking a Course.....	8
1604.8. Satisfactory Academic Progress.....	9
1604.9. Selective Service Registration.	9
1604.10. Georgia Drug-Free Act.	9
1605.Participating Schools Eligibility Requirements.	10
1605.1. Responsibilities of the Georgia Department of Education.	10
1605.2. Eligible High School or Home Study Program Responsibilities and Participation Agreement.	10
1605.3. Eligible Postsecondary Institution Responsibilities and Participation Agreement.....	11
1606. Eligible Coursework.	13
1606.1. Eligible Coursework.....	13
1607. Ineligible Coursework.....	14

1607.1. Joint Enrollment Coursework.....	14
1607.2. Exemption by Examination Coursework.	14
1607.3. Continuing Education and Audit Coursework.	14
1607.4. Total Withdrawal from Coursework.....	14
1607.5. Impact on HOPE Eligibility.....	14
1608. Application Requirements.	16
1608.1. Application Process.	16
1608.2. Application Deadline Date.	17
1609. Award Amounts.	18
1609.5. Tuition Amount Reductions.....	19
1609.6. Awards Per School Term.....	19
1609.7. Student Notification of Award.	19
1610. Invoicing Requirements.	20
1610.1. Submission of Invoices.....	20
1610.2. Payment of Invoices.	21
1610.3. Crediting of Student Accounts.	21
1611. College HOPE Eligibility Calculation Service (CHECS) Reporting Requirements.	22
1611.1. CHECS.....	22
1612. Return of Funds Requirements.....	23
1612.1. Calculation of Return of Funds.	23
1612.2. Collection of Refunds.	24
1613. Reconciliation Requirements.	25
1613.1. Term-Reconciliation.....	25
1613.2. Fiscal Year End Reconciliation.....	25

1614. Records Retention Requirements..... 26

 1614.1. Length of Retention. 26

 1614.2. Documentation. 26

 1614.3. Extended Retention. 27

1615. Administrative Review and Exceptions. 28

 1615.1. Administrative Review. 28

 1615.2. Exceptions. 28

1616. Compliance Reviews. 33

 1616.1. Compliance Review Policy. 33

 1616.2. Compliance Review Process. 33

 1616.3. Corrective Actions and Institutional Repayment. 34

1602. Program Overview.

The Dual Enrollment (DE) Program provides for participation in Dual Credit Enrollment for Eligible High School and Home Study students. These students earn postsecondary credit hours while simultaneously meeting their high school graduation or Home Study completion requirements.

State revenues provide funding for this program in accordance with the Dual Enrollment Act, Official Code of Georgia Annotated (O.C.G.A.) §20-2-161. The total amount of funds appropriated for the program is established each year by the Georgia General Assembly during the prior legislative session and is subject to change during the Award Year.

GSFC publishes the approved annual award rates for Tuition, Mandatory Fees and required books.

Beginning with the 2020-2021 Award Year, eligible high school students, enrolled in 10th, 11th and 12th grades, may receive Dual Enrollment funding for eligible core courses in English, math, science, social sciences and world (foreign) languages, or Career, Technical and Agricultural Education (CTAE) career pathway courses at eligible participating postsecondary institutions, up to the 30 semester or 45 quarter hours program Funding Cap. Students who receive Dual Enrollment funding for a course may not receive program funding to repeat or retake the course. Students who withdraw from two Dual Enrollment courses, for which program funding was received become ineligible to continue receiving Dual Enrollment funding.

1603. Definitions. (Electronic Link)

1604. Program Specific Eligibility Requirements.

1604.1. General Eligibility.

1. An Eligible High School is any private or public secondary educational institution physically within the State of Georgia and any Home Study program operated pursuant to O.C.G.A. §20-2-690 and completes the program participation agreement.
2. A student who does not live in Georgia may participate in the Dual Enrollment Program if the student is enrolled and physically attending a participating high school in Georgia and meets all other eligibility requirements.
3. An eligible student must be enrolled in an approved eligible core academic area course(s) in English, math, science, social sciences and world (foreign) languages, and Career, Technical and Agricultural Education (CTAE) career pathway course(s) listed on the *Dual Enrollment Course Directory*.

1604.2. Grade Level Eligibility.

1. A student must be a 10th, 11th or 12th grade student at an Eligible High School, subject to the limitations set forth in these program regulations.
 - a. Students in the 11th or 12th grade may enroll in any approved Dual Enrollment courses at an eligible participating postsecondary institution (USG, TCSG or private).
 - b. Students in the 10th grade may enroll in approved Career, Technical and Agricultural Education (CTAE) courses at a participating TCSG institution only.
 - c. Students in the 10th grade with a minimum SAT score of 1200 or minimum ACT composite score of 26 in a single national test administration, taken prior to the term of enrollment and in the GSFC Dual Enrollment system, may enroll in any approved Dual Enrollment courses at a TCSG, USG or private eligible participating postsecondary institution.

1604.3. Age Limit.

1. A student must be less than twenty-two (22) years of age on the start date of the postsecondary term of enrollment for which funding is sought.
 - a. A student who reaches twenty-two (22) years of age during the postsecondary term may complete the term.

1604.4. Enrollment Status.

1. A student must be approved and classified by the Eligible High School or Home Study program at which he or she is Enrolled, as a Dual Enrollment student.
2. A student must be admitted and classified as a Dual Credit Enrollment student by an Eligible Postsecondary Institution through the last day of the Eligible Postsecondary Institution's drop/add period in order to be eligible for Dual Enrollment program funding payment.
 - a. If a student officially or unofficially withdraws or drops out prior to the postsecondary institution's drop/add period, he or she is ineligible to receive Dual Enrollment program funding payment for that school term. Students that drop out during the drop/add period are subject to the provisions in accordance with *Section 1612*.
3. A student may Enroll at two or more Eligible Postsecondary Institutions during a single term. An Eligible Dual Enrollment student cannot receive Dual Enrollment funding for hours which exceed the 15 semester or 12 quarter hours per term limit, regardless of the number of Eligible Postsecondary Institutions in which the student is Enrolled.
4. Prior to participating in the Dual Enrollment funding Program and as part of the application process, the student and student's parent/guardian must sign a student participation agreement (SPA) acknowledging an understanding of the responsibilities assumed by the student while participating in Dual Enrollment.
5. A student must abide by the rules of the Eligible High School or Home Study program and the Eligible Postsecondary Institution the student is attending, and a student can be denied participation at any time in the Dual Enrollment Program for violations of such rules.

1604.5. Length of Eligibility.

1. A student's length of eligibility concludes at the end of the term in which the student has reached the age limit, as set forth in *Section 1604.3*, or the Funding Cap or received a high school diploma, a High School Equivalency diploma or completed a Home Study program, whichever occurs first.

1604.6. Funding Cap.

1. A student must not have already received a high school diploma, a High School Equivalency diploma or completed a Home Study program.
2. The Dual Enrollment Program has a 30 semester or 45 quarter hours Funding Cap and a 15 semester or 12 quarter hours per term limit.

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- a. For the term in which a student reaches the Dual Enrollment program Funding Cap of 30 semester or 45 quarter Paid Hours, the student can be paid for hours up to the Funding Cap. However, a student who will reach the Funding Cap with a fraction of an hour remaining can be paid for a full hour.
 - b. Postsecondary credit hours taken while pursuing an Accelerated Career Diploma (ACD), for which Accelerated Career Education (ACE) Grant funds were received by the student are subtracted from the student's Dual Enrollment Program Funding Cap.
 - c. Public high school students pursuing an ACD and receiving ACE Grant funds, cannot receive Dual Enrollment funding and/or HOPE Grant during the same term.
- 3. Eligible High Schools and Home Study programs may not adjust a student's enrollment or graduation plans or records in order to extend a student's Dual Enrollment eligibility. Doing so may result in loss of state program eligibility and responsibility for repaying Dual Enrollment statefunds.
 - 4. GSFC retains the right to limit or deny participation in the event of inappropriate program use.
 - 5. All postsecondary coursework must be completed prior to the student's high school graduation or Home Study completion date in order to receive Dual Enrollment funds. In no case shall Dual Enrollment funds be awarded for postsecondary coursework scheduled, per the Eligible Postsecondary Institution's calendar, for a term in which a student may not be awarded Dual Credit toward graduation and not listed on the high school academic transcript from the Eligible High School or Home Study program.

1604.7. Course Withdrawals and Retaking a Course.

- 1. A student becomes ineligible to continue receiving Dual Enrollment program funding after his or her second (2nd) course withdrawal from an approved Dual Enrollment course(s), regardless of the total Paid Hours or Funding Cap calculation.
 - a. Lab component corequisite courses, when withdrawn in the same term as the lecture/classroom course, is considered as one course withdrawal.
- 2. A student is ineligible to receive Dual Enrollment funding to repeat or retake a Dual Enrollment course for which Dual Enrollment funding was received regardless of the total Paid Hours or Funding Cap calculation, unless an Exception is granted in accordance with Section 1615.2.

1604.8. Satisfactory Academic Progress.

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by his or her Eligible Postsecondary Institution.

1604.9. Selective Service Registration.

1. A student must be in compliance with Georgia state law requirements of having registered with the United States Selective Service System requirements, in accordance with O.C.G.A. § 20-3-519.1(b).
2. Selective Service registration, by required males, should be completed prior to the program application deadline in order to be eligible for payment for such school term.
 - a. A late disbursement is permitted if the student meets Selective Service requirements any time during the fiscal year.
3. GSFC will maintain Selective Service registration or exemption status information for state aid program applicants/recipients. The registration status will be available to the postsecondary institution in which the student is enrolled in order for the institution to determine program eligibility.
 - a. The Institution may collect documentation supporting a student's registration status and submit to GSFC for consideration.
4. Male applicants required to register with the Selective Service System must have a registered or exemption status on file with GSFC to be eligible for state aid programs and for a disbursement invoice to be paid.

1604.10. Georgia Drug-Free Act.

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for Dual Enrollment payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. § 20-1-20, et seq.

1605.Participating Schools Eligibility Requirements.

1605.1. Responsibilities of the Georgia Department of Education.

1. It is the responsibility of the Georgia Department of Education (GaDOE) to annually specify the eligible core and CTAE courses necessary to update the Dual Enrollment Course Directory and provide the updated information to the Georgia Student Finance Commission (GSFC) by July 1.
 - a. Eligible core courses must be English, math, science, social studies, or foreign language used by GSFC to calculate the grade point average for high school HOPE scholarship eligibility.
 - b. Eligible CTAE courses must be career, technical, and agricultural education courses which are aligned with the GaDOE Career Clusters and Pathways.
2. GaDOE shall develop appropriate forms and provide information and counseling guidelines for the Dual Enrollment Program to public and private Eligible High Schools, Home Study programs and Eligible Postsecondary Institutions no later than February 1 of each year.

1605.2. Eligible High School or Home Study Program Responsibilities and Participation Agreement.

1. The Eligible High School or Home Study program must sign the *Dual Enrollment Participation Agreement* with GSFC, agreeing to abide by Dual Enrollment financial and program requirements for all eligible participating high school and Home Study program students as follows:
 - a. Furnish program information and materials, provided by the GaDOE, to each eighth (8th) grade public and private school student and Home Study student at the time he or she is developing his or her individual graduation plan.
 - b. Provide general Dual Enrollment Program information to all students no later than February 1 of each year.
 - c. Provide counseling services to interested students and their parent/guardian before enrolling in the program.
 - d. Obtain consent of a parent/guardian to allow the student to participate in the Dual Enrollment Program prior to approving courses for terms during the academic year.
 - e. Inform student and student's parent/guardian of the 30 semester and 45 quarter hour program Funding Cap and the 15 semester or 12 quarter credit hours per term maximum Dual Enrollment funding limit.

- f. Agree to accept toward state, local, or school graduation or Home Study completion requirements, the postsecondary credit of an eligible Dual Credit Enrollment student who successfully completes an approved course at an Eligible Postsecondary Institution.
 - i. Where a student completes his or her graduation or Home Study completion requirements prior to the expiration of his or her Dual Enrollment eligibility, the Eligible High School or Home Study program agrees to accept the postsecondary credit that could have been used towards graduation or Home Study completion requirements.
- g. Record on the student's high school or Home Study transcript each approved course name, grade, and amount of credit hours and course unit credits earned for each course taken as a Dual Credit Enrollment student as follows:
 - i. One to two semester credit hours = .5 course unit
 - ii. Three to five semester credit hours = 1 course unit
 - iii. One to three quarter credit hours = .5 course unit
 - iv. Four to eight quarter credit hours = 1 course unit
- 2. Public and private Eligible High Schools must complete the annual underclass (9th, 10th and 11th grade) transcript data upload to GSFC.
 - a. Underclass transcript data, of the previous Academic Year, must be reported by September 30th.
 - b. Failure to report underclass transcript data can affect access to online Dual Enrollment student funding applications for the new year.

1605.3. Eligible Postsecondary Institution Responsibilities and Participation Agreement.

- 1. The Eligible Postsecondary Institution must sign the four-year Institutional Participation Agreement with GSFC.
- 2. The Eligible Postsecondary Institution must adhere to the annually published rates to be paid for Tuition, Mandatory Fees and required books. Such rates may vary based on course type, course delivery site, institution sector or term of enrollment.
- 3. The Eligible Postsecondary Institution must accept the award amount as full payment of Tuition, Mandatory Fees and required book costs up to the 15 semester or 12 quarter credit hours per term maximum Dual Enrollment funding limit.

4. The Eligible Postsecondary Institution agrees to waive all mandatory and non-course related fees for eligible high school students participating in the Dual Enrollment funding program, provide required course books to eligible high school students participating in the program at no charge to the student; and accept the amount paid by GSFC as full payment for an eligible high school student's tuition, mandatory and non-course related fees, and required course books.
5. The Eligible Postsecondary Institution may charge students Tuition, Mandatory Fees and required book costs in cases of:
 - a. The term in which the student reaches the Funding Cap, the Eligible Postsecondary Institution may charge Tuition and a prorated portion of the Mandatory Fees and required book costs, based on credit hours not covered by Dual Enrollment funding.
 - b. The Eligible Postsecondary Institution may charge students who chose to continue to enroll in additional terms and courses exceeding the Funding Cap, and such students are not subject to these regulations.
 - c. The Eligible Postsecondary Institution may charge for courses that do not appear on the approved course directory but which the student chooses to enroll, and such students are not subject to these regulations.
6. The Eligible Postsecondary Institution must inform Dual Enrollment students of any costs which may be their responsibility prior to the payment deadline for each term of enrollment.
7. Eligible Postsecondary Institutions have the authority to implement institutional policies of admission acceptances and course offerings for dual enrollment student participation.
8. The Eligible Postsecondary Institution must notify the Eligible High School or Home Study program of each student's Enrollment and must provide one transcript at the end of each term at no charge.
9. The Eligible Postsecondary Institution must invoice for Dual Enrollment Program payment from GSFC (refer to *Section 1610*).
10. The Eligible Postsecondary Institution must utilize the College HOPE Eligibility Calculation Service (CHECS) to report student transcript data for the Dual Enrollment students.

1606. Eligible Coursework.**1606.1. Eligible Coursework.**

1. An eligible student may participate and receive Dual Enrollment program funding, based on grade level eligibility, only for eligible postsecondary credit courses selected from the approved *Dual Enrollment Course Directory* and approved by the student's eligible High School or Home Study program and Postsecondary Institution. Approved courses include:
 - a. Core academic areas of English, math, science, social studies and world (foreign) languages used by GSFC to calculate the grade point average for high school HOPE scholarship academic eligibility.
 - b. CTAE (career, technical, and agricultural education) courses which are aligned with the GaDOE Career Clusters and Pathways.
 - c. Approved core and CTAE courses are identified by the first two digits, left of the decimal, of the high school course number.
2. Postsecondary credit courses taken as dual credit courses, including Distance Learning courses, taken by an Eligible High School or Home Study student pursuant to an arrangement at or through an Eligible Postsecondary Institution for which the student receives secondary credit from his or her Eligible High School or Home Study and postsecondary credit, which have been approved by the GaDOE and the Eligible Postsecondary Institution, are eligible for Dual Enrollment payment, except as set forth in *Section 1607*.
3. Courses which the student dropped, withdrew, failed or stopped attending for which the student received funding counts toward the 30 semester and 45 quarter hours program Funding Cap.

1607. Ineligible Coursework.

1. A student is ineligible to receive Dual Enrollment funding payment for courses not listed on the approved Dual Enrollment Course Directory.
2. A student is ineligible to receive Dual Enrollment funding payment, for courses not specific to his or her grade level eligibility.
3. A student is ineligible to receive Dual Enrollment funding to repeat or retake a course.

1607.1. Joint Enrollment Coursework.

1. A Dual Credit Enrollment student seeking a high school diploma or Home Study completion who is Enrolled in postsecondary coursework as a Joint Enrollment student is ineligible for Dual Enrollment payment for coursework that the Eligible High School or Home Study program will not accept as secondary credit.

1607.2. Exemption by Examination Coursework.

1. A Dual Credit Enrollment student is ineligible to receive Dual Enrollment payment for coursework that was exempted or given credit by examination, testing, training, or experience.

1607.3. Continuing Education and Audit Coursework.

1. A Dual Credit Enrollment student is ineligible to receive Dual Enrollment payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework.

1607.4. Total Withdrawal from Coursework.

1. A Dual Credit Enrollment student is ineligible for Dual Enrollment payment for coursework from which he or she totally dropped or withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or type of identification for such a withdrawal (refer to *Section 1610.1.*).

1607.5. Impact on HOPE Eligibility.

1. The postsecondary credit hours taken as a Dual Credit Enrollment student, for which Dual Enrollment funding payment was made, are not counted as Attempted-Hours nor are they included in the Combined Paid-Hours limit for purposes of HOPE Scholarship or Zell Miller Scholarship or Grant eligibility at an eligible postsecondary institution.

2. The postsecondary credit hours taken while in high school, (Dual or Joint Enrollment) for which HOPE Grant funding payment is made, are counted as Attempted-Hours and are included in the Combined Paid-Hours limit for purposes of HOPE Scholarship or Zell Miller Scholarship and Grant eligibility.
3. Core courses in English, math, science, social sciences and world (foreign) languages taken as a Dual Enrollment student are included in determining a student's high school Calculated HOPE GPA.
4. Degree-level core courses in English, math, science, social sciences and world (foreign) languages taken as a Dual Enrollment student are eligible for an additional weight in the student's high school HOPE Scholarship GPA calculation.
5. The postsecondary Dual Enrollment coursework attempted prior to high school graduation or home study completion cannot be used to gain HOPE Scholarship eligibility at an Attempted-Hours checkpoint.

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1608. Application Requirements.

1608.1. Application Process.

1. A student must complete the Dual Enrollment funding Application each year of participation in the Dual Enrollment funding Program.
 - a. The student should complete the appropriate program year application prior to enrolling at the postsecondary institution for which Dual Enrollment funds are requested.
 - b. A new application is required should the student transfer high schools or home study programs during the academic year.
2. The student's parent/guardian, as part of the application process, must complete the participation agreement prior to the student's enrollment acknowledging an understanding of the responsibilities while participating in the Dual Enrollment funding Program.
3. The Eligible high school or Home Study program must process the application for each specific term of enrollment with the approved secondary high school course(s) from the Dual Enrollment Course Directory.
 - a. Access the students' applications through GSFC's GAfutures High School Functions (HSF) Dual Enrollment Dashboard.
 - b. Applications should be approved prior to the student's enrollment at the postsecondary institution(s).
4. The postsecondary institution must process the application for each specific term of enrollment with the approved postsecondary credit hour course(s) equivalent to the secondary course(s) approved and entered by the high school.
 - a. Access the students' applications through GSFC's GAfutures Postsecondary Functions (PSF) and the Dual Enrollment Dashboard.
 - b. Applications should be approved prior to the student's enrollment at the postsecondary institution(s).
5. The Dual Enrollment funding application is effective for only the postsecondary term(s) for which it was completed by the Eligible High School or Home Study program and Eligible Postsecondary Institution.

1608.2. Application Deadline Date.

1. The student must complete the annual Dual Enrollment funding application no later than the last day of the term for which funding is sought or the student's withdrawal date, whichever occurs first, in order to be paid for a specific school term.
 - a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later.
2. Participating Eligible High Schools, Home Study programs and Eligible Postsecondary Institutions must complete the application for each term of enrollment no later than the last day of the specific term for which funding is sought or the student's withdrawal date, whichever occurs first.
3. Participating Eligible High Schools, Home Study programs and Eligible Postsecondary Institutions may set earlier institutional deadline dates for each school term to meet institutional requirements and program regulations.

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1609. Award Amounts.

1. GSFC will annually publish the rates to be paid for Tuition Mandatory Fees and required books at Eligible Postsecondary Institutions. Annual rates may vary based on course type, course delivery site, institution sector or term of enrollment.
2. Where the actual Tuition rate charged for a course is less than the annually published rate, the Dual Enrollment award shall not exceed the approved amount per hour for the institution nor the actual Tuition rate.
3. The Dual Enrollment award can only be applied to Tuition Mandatory Fees and Books, not other Cost of Attendance (COA) expenses.
4. Eligible Postsecondary Institutions must provide textbooks required for courses taken through the Dual Enrollment Program at no cost to the student. If the course textbook and/or course homework delivery method is provided online or online materials are used in lieu of a physical textbook, the institution must provide the access code at no cost to the student.
 - a. The Eligible Postsecondary Institution is permitted to charge a Dual Enrollment recipient a fine for a lost or damaged book which was loaned to the student. The student may be charged the cost of the book for the specific course or \$75.00, whichever is less.
5. For a student who is enrolled at two or more Eligible Postsecondary Institutions during a single term, the student may receive the published Dual Enrollment rate only for hours listed on the funding application, up to the per term maximum Dual Enrollment funding limit of 15 semester or 12 quarter hours and up to the 30 semester or 45 quarter paid hours Funding Cap.
6. The Eligible Postsecondary Institution may charge students Tuition, Mandatory Fees and required book costs in cases of:
 - a. The term in which the student reaches the Funding Cap, the Eligible Postsecondary Institution may charge Tuition and a prorated portion of the Mandatory Fees and required book costs, based on credit hours not covered by Dual Enrollment funding.
 - b. The Eligible Postsecondary Institution may charge students who chose to continue to enroll in additional terms and courses exceeding the funding cap, are not subject to these regulations.
 - c. The Eligible Postsecondary Institution may charge for courses that do not appear on the approved course directory but which the student chooses to enroll.

1609.5. Tuition Amount Reductions.

1. If a student is receiving student aid from a source other than the Dual Enrollment Program and such aid is required by the donor to be applied to the student's Tuition and Fee charges, and such award plus the Dual Enrollment funds are equal to or greater than the student's Tuition and Fee charges, then the student's Dual Enrollment award must be reduced, so that the total aid is equal to the Tuition and fee charges.

1609.6. Awards Per School Term.

1. The Dual Enrollment Program is available to students for the standard academic terms of Summer, Fall, and Spring semesters or Summer, Fall, Winter, and Spring quarters.
 - a. An Eligible Postsecondary Institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter.
 - b. An Eligible Postsecondary Institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter.
 - i. All approved courses within the term must be listed on the term specific Dual Enrollment funding application.
2. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student cannot receive Dual Enrollment payment for more than three semesters or four quarters per Award Year.

1609.7. Student Notification of Award.

1. Eligible Postsecondary Institutions must notify each Dual Enrollment recipient of the amount he or she is awarded for the Award Year and identify such funds as a Dual Enrollment Program award.
2. The Eligible Postsecondary Institution must notify the student of charges not covered by Dual Enrollment funding.

1610. Invoicing Requirements.

1610.1. Submission of Invoices.

1. Eligible Postsecondary Institutions may submit Dual Enrollment Tuition Mandatory Fees and book allowance invoices to GSFC as early as 15 calendar days prior to the first day of classes for the postsecondary school term.
2. Invoices must be submitted through GSFC's online invoicing system, Scholarship Up-to-date Records for Electronic Reporting (SURFER), processed, and approved by GSFC by the Invoicing Deadline Date as established by GSFC. Each invoice submitted by the Eligible Postsecondary Institution must include Enrolled-Hours, Paid-Hours, Learning Support and the student's program of study major, when applicable to the program.
 - a. In the event invoices are submitted to GSFC by Eligible Postsecondary Institutions after the Invoicing Deadline Date for a school term, GSFC may issue a notice of failure to meet the Invoicing Deadline Date to the President and/or governing body of the Eligible Postsecondary Institution and the invoices may not be honored.
3. Prior to the beginning of any Award Year and no later than June 30 of each year GSFC shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.
4. An Invoice may be honored or paid after the Invoicing Deadline Date if the failure to meet the date was due to:
 - a. The need for supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's eligibility; or
 - b. Late grades, late completions, grade changes; or
 - c. Other adjustments made to the student's official academic transcript that resulted in a change in eligibility and the student met all other eligibility requirements prior to the deadline.
5. The President of GSFC has sole discretion in the determination of invoice deadlines and extensions. The decision of the President of GSFC shall be final.

1610.2. Payment of Invoices.

1. Dual Enrollment funds are paid to Eligible Postsecondary Institutions by electronic transfer of funds on behalf of eligible students each school term upon submission to GSFC of a Dual Enrollment Program invoice.
 - a. The Dual Enrollment invoice hours must match the hours approved and listed on the student's Dual Enrollment funding Application.
 - b. If the Dual Enrollment courses are not listed on the student's postsecondary transcript, then no Dual Enrollment funds may be retained by the postsecondary institution.

1610.3. Crediting of Student Accounts.

1. Upon receipt of Dual Enrollment payments from GSFC, the Eligible Postsecondary Institution must credit the amount of payment on behalf of an eligible student to the student's Tuition, Mandatory Fees, and book allowance.

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1611. College HOPE Eligibility Calculation Service (CHECS) Reporting Requirements.

1611.1. CHECS.

1. All Eligible Postsecondary Institutions must utilize the College HOPE Eligibility Calculation Service (CHECS) to report student transcript data for all Dual Enrollment students.
2. All Postsecondary institutions must timely submit through CHECS student transcript data records for all Dual Enrollment students for the purpose of tracking enrollment and academic performance.
3. The Eligible Postsecondary Institution must submit, for the ending term, Dual Enrollment transcript academic records for CHECS transcript history prior to the upcoming term invoices being paid.
 - a. Invoices for any term will be held in a pending status until transcript academic records for the preceding term are submitted and for CHECS transcript history are processed.
4. Academic transcript data must be submitted regardless of any unpaid balance owed to the Postsecondary Institution.

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1612. Return of Funds Requirements.

1612.1. Calculation of Return of Funds.

1. If a student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund due to the adjustment of tuition charges, a portion of such refund may need to be returned to the Dual Enrollment fund.
 - a. A student is ineligible for the Dual Enrollment funds for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal.
 - b. If the Eligible Postsecondary Institution invoiced GSFC prior to the student's total withdrawal, then the Eligible Postsecondary Institution must cancel the student's Dual Enrollment award for that term through the SURFER system.
 - c. If the Dual Enrollment courses are not listed on the student's transcript, then no Dual Enrollment funds may be retained by the postsecondary institution.
2. To determine the refund due to the Dual Enrollment Program, the Eligible Postsecondary Institution must apply the institution's refund policy to the student's Dual Enrollment award amount.
3. The Eligible Postsecondary Institution must determine the amount of the refund due back to the Dual Enrollment Program. The amount of the Dual Enrollment award not determined to be owed back to the Dual Enrollment Program is retained by the Eligible Postsecondary Institution to cover the institution's cost for the portion of the school term that the student was enrolled.
 - a. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within forty-five (45) calendar days of the determination.
 - b. If the student only received Dual Enrollment funds, the Eligible Postsecondary Institution should return the funds determined to be owed to the Dual Enrollment Program within forty-five (45) calendar days of the refund determination.
 - c. The Dual Enrollment tuition, book and fee funds can only be received and/or retained by the postsecondary institution if the Dual Enrollment courses appear on the student's transcript.

1612.2. Collection of Refunds.

1. A borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFC will notify the borrower that they are in default and GSFC intends to proceed with any of the remedies listed in this subsection. The borrower will be given 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

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1613. Reconciliation Requirements.

1613.1. Term-Reconciliation.

1. Eligible Postsecondary Institutions must conduct a Term-Reconciliation by the end of each term.
 - a. A Term-Reconciliation consists of an official acknowledgement by an authorized school official through Postsecondary Functions, that the number of students submitted for payment, total invoiced by the Eligible Postsecondary Institution, the number of students awarded, and total issued by GSFC, according to Postsecondary Functions, is accurate on that date.
 - b. GSFC will not issue any state scholarship or grant funds for the following term until the Term-Reconciliation is complete.
 - c. Funds are not returned to GSFC as part of the Term-Reconciliation process.

1613.2. Fiscal Year End Reconciliation.

1. In addition to the Term-Reconciliations, the Eligible Postsecondary Institution must conduct the Fiscal Year End Reconciliation through Postsecondary Functions.
 - a. The Eligible Postsecondary Institution must conduct a complete student-by-student Fiscal Year End Reconciliation with GSFC that includes:
 - i. Submission of a reconciliation certification form by July 15, immediately following the completion of the Fiscal Year for each State Program, verifying accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to Enrolled-Hours, Paid-Hours, Learning Support and the student's program of study information, when applicable to the program; and
 - ii. Return to GSFC any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
 - b. GSFC will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
 - c. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

1614. Records Retention Requirements.

1614.1. Length of Retention.

1. An Eligible High School, Home Study program and an Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the Dual Enrollment Program, including, but not limited to, individual student files for whichever is longer:
 - a. Three years after the academic year the student participated or Award Year in which the aid was awarded; or
 - b. For such other period as required by an applicable statute, rule, or regulation; or
 - c. Such other time as requested in writing by GSFC.

1614.2. Documentation.

1. Documentation contained within an individual student's file or record, which supports the original determination of a student's eligibility, must be retained and available for review by GSFC on the institution's campus, located within the State of Georgia, for at least three calendar years after the most recent Award Year for which the student received Dual Enrollment funds (refer to *Section 1613.*).
2. Documents are permitted to be maintained in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
 - a. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained.
 - b. Documentation supporting a student's eligibility that is received and maintained by admissions office, registrar's office, business office, or other administrative operations of the high school or institution must be available to GSFC for the purpose of Compliance Reviews.
3. It is the Eligible High School, Home Study program or Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing Dual Enrollment funds to the student.

1614.3. Extended Retention.

1. An Eligible High School, Home Study program or Eligible Postsecondary Institution may be required to retain student records involved in a Compliance Review Audit or investigation for more than the three- year retention period set forth in *Section 1613.1*. If the three-year retention period expires before the issue in question is resolved, the high school, home study or Institution must continue to retain all associated records until resolution is reached.

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1615. Administrative Review and Exceptions.

1615.1. Administrative Review.

1. The Dual Enrollment Program Regulations are applied to each student considered for Dual Enrollment funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFC.
2. If a student believes a Dual Enrollment Program rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with GSFC.
3. In order for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFC's office within 45 calendar days of receiving notice of denial. If additional information is requested from the student, it must be provided within the time frame specified by GSFC.
 - a. GSFC will review the case and determine whether the rule or regulation was applied correctly and notify the student and Eligible Postsecondary Institution of the determination.
 - b. GSFC decides a case based only on documentation provided by the student, rather than a personal presentation.

1615.2. Exceptions.

1. The Board of Commissioners of GSFC may grant a Dual Enrollment Exception to a student who fails to meet the regulatory requirements for Dual Enrollment funds in very limited and exceptional cases, as provided by *Section 1615.3* Guidelines for Approval of an Exception Request. The Board of Commissioners has sole discretion to grant an Exception based on the circumstances presented by a student.
 - a. No student has the right to a Dual Enrollment award under any circumstances described in *Section 1615.4*.
 - b. No student has the right to appeal the denial of an Exception by the Board of Commissioners.
 - c. Each individual Dual Enrollment recipient is limited to one Exception, as granted by the Board of Commissioners, and such Exception shall only apply to one school term, during which Dual Enrollment funds were received.

- d. The authority of the Board of Commissioners to grant Exceptions extends only to the determination to continue enrollment after the withdrawals or to retake a course and only to the extent the Exception would not be contrary to the 30 semester or 45 hours program Funding Cap or to state law. The Board of Commissioners does not have authority to revise a student's high school nor postsecondary academic transcript record nor allow for additional hours of Dual Enrollment program funding eligibility. The Exception solely allows for continued participation in the Dual Enrollment program, up to the Funding Cap.
2. Exceptions which indicate the student's inability to attend class(es) and complete coursework may be granted in cases of:
 - a. A Serious Illness, Serious Injury experienced by the student in which the student was unable to function and received treatment during the academic term, and within forty-five days preceding the term for which the Exception is being requested; or
 - b. An Immediate Family Member and/or stepparent or stepsibling experienced a Serious Illness or Serious Injury and the student had to provide temporary care of the family member. The family member's Serious Illness or Serious Injury must have occurred during the academic term, and within forty-five days preceding the term for which the Exception is being requested; or
 - c. Death of an immediate family member and/or stepparent or stepsibling which occurred during the term for which Dual Enrollment program funding was received will be considered. In cases, the family member's death must have occurred during the academic term, and within forty-five days preceding the term for which the Exception is being requested.
 - d. Written support from the high school and postsecondary institution may be required based on the circumstance of the Exception request.
 3. The GSFC Board of Commissioners' decision to approve or deny an Exception request is final and cannot be appealed.
 - a. In order for an Exception to be considered, the student must submit the Exception Request form with supporting documentation to GSFC's office during the academic term, and within forty-five days preceding the term for which the Exception is being requested.
 - b. Exception requests may be submitted to GSFC via US mail, email, or hand delivery. All required documentation must be provided at the time of submission. Incomplete submissions cannot be considered.

- c. Documentation required to be considered for an Exception by GSFC must be received by close of business on the deadline date listed below. In some cases, it may be necessary to wait until the next board meeting to convene before a decision can be rendered.

Deadline Submission Dates:

Submission Deadline

Board Meeting

First Friday in July
First Friday October
First Friday in January
First Friday in April

August
November
February
May

4. GSFC staff shall review each request for an Exception to determine whether such request satisfies the Guidelines for Approval of an Exception set forth in *Section 1615.3*.

Each request for an Exception that has been determined by GSFC staff to satisfy the Guidelines for Approval of an Exception as set forth in *Section 1615.3* shall be summarized by staff and presented to the Public Policy and Law Committee of the Board of Commissioners. The requests for Exceptions shall be approved or denied by the Public Policy and Law Committee. The Committee's decisions are then presented to the full Board for approval or denial.

- a. GSFC staff will notify the student, the student's high school and the postsecondary institution of the Board of Commissioners' decision within seven calendar days of the approval or denial.
- b. The Board of Commissioners has heretofore authorized staff to deny, on its behalf, each request for an Exception that has been determined by GSFC staff to fall within the Guidelines for Denial of an Exception as set forth in *Section 1615.4*. Such requests for an Exception shall not be presented to the Public Policy and Law Committee of the Board of Commissioners, unless the student, having been informed of the denial, shall have requested that such request be submitted to the Public Policy and Law Committee, by the deadline set forth in *Section 1615.2.c above*.

1615.3. Guidelines for Approval of an Exception

1. Exceptions classifications are based on the following guidelines:

- A1D During participation withdrawal from two (2) Dual Enrollment courses for which funding was received due to a Serious Illness, Serious Injury experienced by the student or Immediate Family Member and the student had to provide temporary care of the family member or Death of an Immediate Family Member.
- a. Requests for an Exception may be granted for a Dual Enrollment student who, has withdrawn from two (2) Dual Enrollment courses. A lab component corequisite course, when withdrawn in the same term as the lecture/classroom course, is considered as one course withdrawal.
 - b. The granting of an Exception allows the student to continue to receive Dual Enrollment funding up to the 30 semester or 45 quarter hours Funding Cap. Exceptions do not allow for additional hours of Dual Enrollment program funding eligibility. Students must meet all other eligibility requirements.
- A2D During participation wishes to retake or repeat a Dual Enrollment course, for which funding was received and experienced a Serious Illness, Serious Injury experienced by the student or Immediate Family Member and the student had to provide temporary care of the family member or Death of an Immediate Family Member requests for an Exception may be granted for a Dual Enrollment student who wishes to retake or repeat a Dual Enrollment course which the student was enrolled.
- a. The student may continue to receive Dual Enrollment funding up to the 30 semester or 45 quarter hours Funding Cap. Exceptions do not allow for additional hours of Dual Enrollment program funding eligibility. Student must meet all other eligibility requirements.

1615.4. Guidelines for Denial of an Exception

1. Requests for an Exception based on the following classifications will be denied:

- D1D If the student does not provide an Exception Request form and supporting documentation in writing during the academic term, and within forty-five days preceding the term of withdrawal or requesting to retake a course and be approved for Dual Enrollment funding.
- D2D If the student does not provide the Exception Request form with documentation prior to or before the student's last term of high school enrollment.
- D3D If the student withdrew from a course(s) while continuing to attend other postsecondary and/or high school or home study program courses, during the term or time period.
- D4D If the basis of the request is the diagnosis of or presence of a learning disability.
- D5D If the underlying cause for the student's request for an Exception is attributed to a criminal act committed by the student, that resulted in a conviction or a plea of guilty or nolo contendere.
- D6D If the basis of an Exception request is to have a student's postsecondary grade(s) earned in the Dual Enrollment funding Program forgiven or altered by GSFC staff.
- D7D If the basis of the request is the death of an Immediate Family Member and/or stepparent, stepchild or step-sibling, and the death did not occur within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
- D8D If the student is beyond his or her Funding Cap.
- D9D If the student no longer enrolled at an eligible high school or home study program.
- D10D If the basis of the request is a reason other than those specifically listed in *Section 1615.3.* of these regulations.

1616. Compliance Reviews.**1616.1. Compliance Review Policy.**

1. GSFC may conduct Compliance Reviews of Eligible High School, Home Study program or Eligible Postsecondary Institutions participating in the Dual Enrollment Program in order to assess institutional administration of the program and compliance with the program's regulations. Compliance Reviews are conducted in accordance with GSFC's *Compliance Review Process and Procedures* document, which is available at gsfc.georgia.gov, under *Information for School Compliance*.

1616.2. Compliance Review Process.

1. GSFC selects a sampling of the Eligible High School or Home Study Program eligible students, for the Award Year under review, and the school's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Eligible High School or Home Study program (refer to *Section 1614.*).
2. GSFC selects a sampling of the Eligible Postsecondary Institution's recipients, for the Award Year under review, and the institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution (refer to *Section 1614.*).
 - a. GSFC will exclude SAP determinations, in the selected sample of any USG or TCSG institution, that has submitted a signed certification to GSFC's Compliance Department by the President of the Eligible Postsecondary Institution that:
 - i. The Eligible Postsecondary Institution is in compliance with its policies and procedures in the determination and the administration of the financial aid award process relative to SAP requirements;and
 - ii. The SAP determinations have been fairly and consistently applied with respect to all students receiving the Dual Enrollment awards.
 - b. Such certification must be submitted annually to the Compliance Department of GSFC.
 - i. Failure to provide such certification will result in a review of SAP determinations made for Dual Enrollment recipients in the selected sample.

1616.3. Corrective Actions and Institutional Repayment.

1. In the event it is determined that an Eligible High School or Home Study program, knowingly or through error certified an ineligible student to be eligible for the program established under these regulations, GSFC may institute corrective actions, including but not limited to suspension or removal of the Eligible High School's or Home Study Program's program participation eligibility.
2. In the event it is determined that an Eligible Postsecondary Institution knowingly or through error certified an ineligible student to be eligible for Dual Enrollment, the amount of such grant shall be refunded by the Eligible Postsecondary Institution.
3. GSFC may suspend an Eligible Postsecondary Institution from receiving Dual Enrollment payments if the Eligible Postsecondary Institution fails to timely refund any monies deemed due based on the Compliance Review.
4. Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts such statement or misrepresentation knowing it to be false, for the purposes of enabling an ineligible student to wrongfully obtain a Dual Enrollment award shall be guilty of a misdemeanor.
5. If evidence not available at the time of awarding indicates that a student should not have received Dual Enrollment funds, then all future Dual Enrollment awards for that student must be canceled.
 - a. The Eligible Postsecondary Institution is held harmless by GSFC if the student's file is adequately documented with available evidence, and it is determined by GSFC that the institution was not at fault.
 - b. Evidence is considered unavailable at the time of awarding if it is not available in the student's institutional files (i.e., financial aid, admissions, registrar, etc.).
6. The Eligible Postsecondary Institution must notify the student and GSFC of a refund due to GSFC.
7. If GSFC determines the student's file is not adequately documented, then the Eligible Postsecondary Institution may be solely responsible for the repayment.

EXHIBIT 5

Georgia HERO Scholarship Program

REGULATIONS – 800.

2024 - 2025 Award Year



Effective Date – July 1, 2024

GSFA | Georgia Student
Finance Authority

2082 East Exchange Place
Tucker, Georgia 30084

801. Table of Contents.

Section	Page
801. Table of Contents.	2
802. Program Overview.	5
803. Definitions. (Electronic Link)	6
804. General Eligibility Requirements.	6
804.1. Citizenship.	6
804.2. Georgia Residency	6
804.3. Enrollment Status.	6
804.4. Satisfactory Academic Progress.....	6
804.5. Selective Service Registration.....	6
804.6. Defaulted Loan or Refund Due.....	7
804.7. Georgia Drug-Free Act.	8
804.8. Incarceration.	8
805. Program Specific Eligibility Requirements.	9
805.1. National Guard and Reservist Criteria.	9
805.2. Length of Eligibility.	9
806. Eligible and Ineligible Coursework.	11
806.1. Undergraduate and Graduate Coursework.....	11
806.2. Learning Support Coursework.....	11
806.3. Exemption by Examination Coursework.	11
806.4. Distance Learning Coursework.	11
806.5. Transient Coursework.	11
806.6. Study Away Coursework.	12
806.7. Continuing Education and Audit Coursework.	12

806.8. Total Withdrawal from Coursework.	13
807. Student Application Requirements.....	14
807.1. Application Forms.....	14
807.2. Application Deadline Date.	15
807.3. Application Renewal.....	16
808. Award Requirements.	17
808.1. Award Amounts for Full-Time Enrollment.	17
808.2. Award Amounts for Part-Time Enrollment.	17
808.3. Award Amount Reductions.	18
808.4. Awards Per School Term.	18
808.5. Student Notification of Award.	18
809. Invoicing Requirements.	19
809.1. Submission of Invoices.....	19
809.2. Payment of Invoices.....	19
809.3. Crediting of Student Accounts.	19
810. Return of Funds Requirements.....	20
810.1. Calculation of Return of Funds.	20
810.2. Collection of Refund Amounts.	21
810.3. Emergency Military Duty.....	21
811. Reconciliation Requirements.	22
811.1. Term Reconciliation.	22
811.2. Fiscal Year End Reconciliation.....	22
812. Records Retention Requirements.....	23
812.1. Length of Retention.....	23
812.2. Documentation.....	23

812.3. Extended Retention..... 24

813. Administrative Reviews and Exceptions. 25

813.1. Administrative Reviews. 25

813.2. Exceptions. 25

814. Compliance Reviews. 26

814.1. Compliance Review Policy. 26

814.2. Compliance Review Process..... 26

814.3. Institutional Repayment. 27

802. Program Overview.

The Georgia HERO (Helping Educate Reservists and their Offspring) Scholarship Program was created to provide financial aid to qualifying Georgia National Guard or United States Military Reservists, their spouses, and dependent children who seek a postsecondary education.

The maximum amount awarded to an eligible student is \$2,000 per Award Year and is subject to change during the Award Year. Eligible students must be enrolled, including graduate degree, at a University System of Georgia (USG) or Technical College System of Georgia (TCSG) institution or a private, non-profit institution eligible to participate in the HOPE program.

The Georgia General Assembly created the Georgia HERO Scholarship Program beginning with the 2005-2006 Award Year (State Fiscal Year 2006) and is funded by state appropriations. The program is administered by the Georgia Student Finance Authority (GSFA), in accordance with the Official Code of Georgia Annotated (O.C.G.A.) §20-3-485, et seq.

803. Definitions. (Electronic Link)

804. General Eligibility Requirements.

804.1. Citizenship.

1. A student must be a United States Citizen, born or naturalized, or an Eligible Non-Citizen according to the Federal Title IV Regulations, as of the first day of classes of the school term for which the HERO Scholarship is sought.

804.2. Georgia Residency.

1. A student must be a Georgia Resident, as defined in these regulations, for 12 consecutive months immediately prior to the first day of classes of the school term for which funds are sought. Out of State Tuition Waivers granted by TCSG or USG do not fulfill the Georgia Residency requirement set out in this section.

804.3. Enrollment Status.

1. A student must be Enrolled in an Eligible Postsecondary Institution. Proprietary (for-profit) institutions are ineligible to participate in the HERO Scholarship Program.
2. A student must be fully admitted and classified as an Undergraduate or Graduate student by his or her Eligible Postsecondary Institution.
3. A student is eligible for the HERO Scholarship regardless of the number of credit hours for which he or she is Enrolled during a school term. Full-Time Enrollment is not a requirement.

804.4. Satisfactory Academic Progress.

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by his or her Eligible Postsecondary Institution.

804.5. Selective Service Registration.

1. A student must be in compliance with Georgia state law requirements of having registered with the United States Selective Service System requirements, in accordance with O.C.G.A. § 20-3-519.1(b).
2. Selective Service registration, by required males, should be completed prior to the program application deadline in order to be eligible for payment for such school term.
 - a. A late disbursement is permitted if the student meets Selective Service requirements any time during the fiscal year.

3. GSFC will maintain Selective Service registration or exemption status information for state aid program applicants/recipients. The registration status will be available to the postsecondary institution in which the student is enrolled in order for the institution to determine program eligibility.
 - a. The Institution may collect documentation supporting a student's registration status and submit to GSFC for consideration.
4. Male applicants required to register with the Selective Service System must have a registered or exemption status on file with GSFC to be eligible for state aid programs and for a disbursement invoice to be paid.

804.6. Defaulted Loan or Refund Due.

1. A student must not be in default on a Federal Title IV or State of Georgia educational loan, or owe a refund due to an over-award on a Federal Title IV or State of Georgia student financial aid program, or in any other way be in violation of Federal Title IV Programs Regulations or State of Georgia student financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by GSFA on behalf of the student.
1. A student's federal default status can be resolved in one of five ways:
 - a. Completing an acceptable rehabilitation plan;
 - b. Having the loan repurchased by the original lender and the default status reversed;
 - c. Consolidating the loan out of a default status;
 - d. Receiving an approved Title IV debt settlement, to include a compromised settlement; or
 - e. Making monthly payments over a specified period agreed-upon with the lender of the Student's federal loan; each payment must be on time and voluntary to be in a satisfactory repayment plan.
2. A student's State of Georgia refund due status can be resolved by:
 - a. Paying the refund due to the Eligible Postsecondary Institution at which the over-award occurred. The Eligible Postsecondary Institution will then forward the payment to GSFA.
3. A student's default status on a State of Georgia loan can be resolved in one of two ways:

- a. Paying off the defaulted loan in full; or
 - b. Complete an acceptable rehabilitation plan by making voluntary on time payments over a specified period agreed upon by GSFA.
4. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive state scholarship, grant or loan funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

804.7. Georgia Drug-Free Act.

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. §20-1-20, et seq.

804.8. Incarceration.

1. A student is ineligible to receive HERO funds while incarcerated.

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805. Program Specific Eligibility Requirements.

805.1. National Guard and Reservist Criteria.

1. To be eligible to apply for the Georgia HERO Scholarship Program, a student must meet one of the following criteria:
 - a. The student must be a current member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.
 - b. The student must be a child of a Parent who is or was a member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.
 - c. The student must be the Spouse of a member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.

805.2. Length of Eligibility.

1. A current member of the Georgia National Guard or United States Reserves who completed a Qualifying Term of Service is eligible for the equivalent of four Award Years of HERO assistance, for a total of \$8,000, based on available funding.
 - a. Such student must file an application for HERO with GSFA within two years (24 consecutive months) after the date he or she returned from the combat zone in which the Qualifying Term of Service was completed.
 - b. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the date that he or she returned from the combat zone in which the Qualifying Term of Service was completed.
2. A Child of a Parent who is or was a qualifying member of the Georgia National Guard or United States Reserves, is eligible for one Award Year of HERO assistance, based on available funding, for each Qualifying Term of Service that his or her Parent completed, not to exceed four Qualifying Terms of Service.
 - a. If such Parent did not serve the full cumulative period of 181 days, because he or she was evacuated from the combat zone due to severe injuries, the Child shall be deemed to have completed one Qualifying Term of Service, and therefore, is eligible for one Award Year of HERO assistance.
 - b. Such student must file an application for HERO with GSFA within two years (24 consecutive months) of enrollment at an Eligible Postsecondary Institution.

- c. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the Child became eligible for the HERO Program.
- 3. A Child of a Parent who is or was a qualifying member of the Georgia National Guard or United States Reserves, and such Parent was killed in a qualifying combat zone, or died as a result of injuries received in a qualifying combat zone, or received a 100 percent disability as a result of injuries received in a qualifying combat zone, is eligible for the equivalent of four Award Years of HERO assistance, based on available funding, regardless of the length of time his or her Parent was on active service in such combat zone.
 - a. Such student must file an application for HERO with GSFA within two years (24 consecutive months) of enrollment at an Eligible Postsecondary Institution.
 - b. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the Child became eligible for the HERO Program.
- 4. A Spouse of a member of the Georgia National Guard or United States Reserves who was killed in a qualifying combat zone or died as a result of injuries received in a qualifying combat zone or sustained a 100 percent disability in a qualifying combat zone, or became 100 percent disabled due to injuries received in a qualifying combat zone, is eligible for the equivalent of four Award Years of HERO assistance, based on available funding.
 - a. Such Spouse must file an application for the initial HERO Scholarship award no later than two years (24 consecutive months) following the death or 100 percent disability of the member.
 - b. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the initial award was issued.

806. Eligible and Ineligible Coursework.

806.1. Undergraduate and Graduate Coursework.

1. A student, who meets all other requirements, is eligible for HERO payment for Undergraduate and/or Graduate coursework, except as specified herein.

806.2. Learning Support Coursework.

1. A student who Enrolls in Learning Support (remedial) coursework is eligible for HERO payment for such coursework.

806.3. Exemption by Examination Coursework.

1. A student is ineligible to receive HERO payment for coursework that was exempted or given credit by examination, testing, training, or experience.

806.4. Distance Learning Coursework.

1. A student participating in Distance Learning coursework is eligible to receive HERO payment if all other eligibility requirements are met.

806.5. Transient Coursework.

1. A Transient student is eligible to receive HERO payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be Eligible Postsecondary Institutions.
2. The Host Institution awards HERO funds to the Transient student based on certification of eligibility from the Home Institution.
 - a. The Home Institution is responsible for verifying the eligibility of their Transient students.
 - i. Upon the student's return to the Home Institution, the Host Institution must provide information necessary for the Home Institution to determine continued HERO eligibility.
3. A student taking coursework at his or her Home Institution and a Host Institution during the same school term is eligible for HERO payment at both institutions, not to exceed a maximum of \$2,000 per term.

4. The Home Institution is liable for the return of funds the student receives at the Host Institution, if the Home Institution erroneously certifies the student's eligibility to the Host Institution.

806.6. Study Away Coursework.

1. A student enrolled in a Matriculated status at an Eligible Postsecondary Institution may qualify for HERO payment while participating in a Study Away program.
2. The Home Institution must have a written agreement with the institution (foreign or non-Eligible Postsecondary Institution) or a single written arrangement with a study-abroad organization to represent an agreement between the Home Institution and the Host Institution at which a student is participating in a Study Away program.
3. The student's Home Institution must be an Eligible Postsecondary Institution and must approve the Study Away program for credit toward the student's degree program prior to the student's departure.
4. The HERO award must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted.
5. The Home Institution must maintain documentation of the student's actual tuition charges for the Study Away program at the Host Institution.
6. At the time of disbursement, a current enrollment verification for the student from the Host Institution indicating the courses and number of hours must be on file with the Home Institution.
7. The HERO payment must take place through the Home Institution.
8. The Eligible Postsecondary Institution must have on file the student's written or electronic permission to have any specific fees withheld from the HERO disbursement.
9. If the student is participating in a Study Away program via another Eligible Postsecondary Institution, then the process for Transient students must be followed (refer to *Section 806.5*).

806.7. Continuing Education and Audit Coursework.

1. A student is ineligible to receive HERO payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework.

806.8. Total Withdrawal from Coursework.

1. A student is ineligible for HERO payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal (refer to *Section 810.1.*).

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807. Student Application Requirements.

807.1. Application Forms.

1. The applicant must complete the “student section” of a HERO Scholarship Program application and include the appropriate documentation as described below.
 - a. If the applicant is serving in the Georgia National Guard or United States Military Reserves, then official documentation of the applicant’s Qualifying Term of Service must be provided with the HERO application. The applicant must also submit acceptable documentation certifying his or her Deployed Date (refer to *Section 805.2.*).
 - b. If the applicant’s Parent served in the Georgia National Guard or United States Military Reserve, then the following documentation must be submitted with the HERO application:
 - i. Official documentation of the Parent’s Qualifying Term of Service; and
 - ii. Child’s certificate of live birth or legal adoption records; and
 - iii. Acceptable Documentation certifying his or her Parent’s Deployed Date (refer to *Section 805.2.*).
 - c. If the applicant’s Parent served in the Georgia National Guard or United States Military Reserves and was killed or received 100 percent disability as a result of injuries received in a combat zone, then the following documentation must be submitted with the HERO application:
 - i. Proof of death or disability of Parent; and
 - ii. Child’s certificate of live birth or legal adoption records; and
 - iii. Acceptable Documentation certifying the Parent’s Deployed Date.
 - d. If the applicant was or is the Spouse of a member of the Georgia National Guard or United States Military Reserves who was killed in a combat zone, or died as a result of injuries received in a combat zone, or became 100 percent disabled as a result of injuries received in a combat zone, then the following documentation must be submitted with the HERO application:
 - i. Proof of the member’s death or disability; and
 - ii. Proof of the legal marriage at the time of death or disability; and

- iii. Acceptable Documentation certifying the Deployment Date of the deceased or disabled member of the Georgia National Guard or United States Reserves.
2. The applicant must forward the application and all required documentation to the financial aid office of his or her Eligible Postsecondary Institution.
3. Upon receipt of a HERO application and documentation, the Eligible Postsecondary Institution must certify the applicant meets all of the following eligibility requirements, in accordance with these regulations, and forward the application and documentation to GSFA:
 - a. United States citizenship or Eligible Non-Citizen status
 - b. Georgia Residency
 - c. Enrollment status
 - d. Satisfactory Academic Progress
 - e. Selective Service registration
 - f. Loan Default and Refund
 - g. Drug-Free Postsecondary Education Act
4. GSFA shall review the completed application and all supporting documentation to verify and determine the applicant's eligibility and award. GSFA will notify the applicant and the Eligible Postsecondary Institution of the determination.

807.2. Application Deadline Date.

1. A student must file the application and supporting documentation with the Eligible Postsecondary Institution's financial aid office on or before the last day of the school term (semester or quarter) or the student's withdrawal date, whichever occurs first, in order to be paid for that school term.
 - a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later. Supplemental documentation required by the Eligible Postsecondary Institution or GSFA to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility (refer to *Section 805.2.*).
2. All submitted applications received by GSFA will be awarded on a first-come, first-served basis and based on available funds.

807.3. Application Renewal.

1. A student must file a new application, with the Eligible Postsecondary Institution's financial aid office, each Award Year. An application on file from a student for a previous Award Year cannot be used to renew a HERO Scholarship award for subsequent Award Years.
2. A student must have successfully completed the coursework of the prior school period, be a student in good standing, continue to meet Georgia Residency requirements, and remain otherwise qualified to receive a HERO Scholarship award.

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808. Award Requirements.

808.1. Award Amounts for Full-Time Enrollment.

1. The amount of aid payable to an eligible Full-Time student from the HERO Scholarship Program is a maximum of \$2,000 per Award Year or a maximum amount as specified by the state appropriations. The maximum award of \$2,000 per Award Year shall be provided on a school term basis, as follows:
 - a. \$1,000 per semester for any two semesters (summer, fall, or spring); or
 - b. \$700 per quarter for the first two quarters awarded for the Award Year and \$600 for the third quarter awarded for the Award Year.
2. No student shall receive payment for more than two semesters or three quarters for an Award Year.

808.2. Award Amounts for Part-Time Enrollment.

1. The HERO Scholarship award amount for an eligible Part-Time student is payable on a pro rata basis, based upon the award amount for Full-Time students and the number of hours enrolled.
 - a. The Part-Time award is \$83.33 per semester hour, or \$55.55 per quarter hour, or as specified in the General Appropriations Act for students enrolled in Undergraduate coursework.
 - b. The Part-Time award is \$111.11 per semester hour or \$74.07 per quarter hour, or as specified in the General Appropriations Act for students enrolled in Graduate coursework.
 - c. No student shall receive payment for more than two semesters or three quarters for an Award Year.

808.3. Award Amount Reductions.

1. The HERO Scholarship award amount for a student must be reduced accordingly if the student is receiving any other student financial aid from federal, state, institutional, or private sources, which in combination with the maximum HERO award amount would exceed the student's Cost of Attendance.

808.4. Awards Per School Term.

1. The HERO Scholarship is available to students for the standard school terms of summer, fall, and spring semesters or summer, fall, winter, and spring quarters.
 - a. An Eligible Postsecondary Institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter.
 - b. An Eligible Postsecondary Institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student must not receive HERO payment for more than two semesters or three quarters per Award Year.

808.5. Student Notification of Award.

1. Eligible Postsecondary Institutions should notify each HERO recipient of the amount of HERO funds he or she is awarded for the Award Year and identify such funds as a Georgia HERO Scholarship award.

809. Invoicing Requirements.

809.1. Submission of Invoices.

1. Eligible Postsecondary Institutions may submit HERO invoices to GSFA as early as 15 calendar days prior to the first day of classes for the school term.

809.2. Payment of Invoices.

1. HERO funds are paid to Eligible Postsecondary Institutions by electronic transfer of funds on behalf of eligible students each school term upon submission by GSFA of a HERO invoice.

809.3. Crediting of Student Accounts.

1. Upon receipt of HERO payments from GSFA, the Eligible Postsecondary Institution shall credit the amount of payment on behalf of an eligible student to the account of the student.

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810. Return of Funds Requirements.

810.1. Calculation of Return of Funds.

1. If a student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund, a portion of such refund may need to be returned to the HEROfund.
 - a. A student is ineligible for the HERO funds for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal.
 - b. If the Eligible Postsecondary Institution invoiced GSFA prior to the student's total withdrawal, then the institution must cancel the student's HERO award for that term through SURFER.
2. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Program return of funds policy for any federal aid the student may have received.
 - a. To determine the refund due to the HERO Program, the Eligible Postsecondary Institution must then apply the institution's refund policy, which may or may not be identical to the Federal Title IV Program return of funds policy, to the student's HERO award amount.
3. The Eligible Postsecondary Institution must determine the amount of the refund due back to the HERO Program. The amount of the HERO award not determined to be owed back to the HERO Program is retained by the Eligible Postsecondary Institution to cover the institution's cost for the portion of the school term that the student was enrolled.
 - a. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within forty-five (45) calendar days of the determination.
 - b. If the Eligible Postsecondary Institution has sufficient funds on hand to return to GSFA the refund owed to the HERO Program, it should return the funds within forty-five (45) calendar days of the refund determination.
 - i. The Eligible Postsecondary Institution would then collect the refund amount from the student.
 - ii. The student should not be reported with a refund due status to GSFA since the funds have been repaid to GSFA.

4. If the Eligible Postsecondary Institution does not have sufficient funds on hand to return to GSFA the refund owed to the HERO Program, the student is considered to have a refund due to GSFA and the Eligible Postsecondary Institution must report the student to GSFA with a refund due status.

810.2. Collection of Refund Amounts.

1. A borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFA will notify the borrower that they are in default and GSFA intends to proceed with any of the remedies listed in this subsection. The borrower will be given 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

810.3. Emergency Military Duty.

1. A student who is a member of the United States Armed Forces, National Guard, or Armed Forces Reserve receiving funds from the HERO Scholarship Program who is called to emergency military duty during a school term that is already in progress should not have his or her HERO eligibility negatively impacted.
2. If the Eligible Postsecondary Institution the student attends allows the student to totally withdraw and receive a grade such as "WM" for military withdrawal or the Eligible Postsecondary Institution totally removes all grades for that term and corresponding credit hours from the student's records, the Eligible Postsecondary Institution should return the full amount of the HERO award to the HERO account.
3. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the United States Armed Forces, as determined by the president of the Eligible Postsecondary Institution that such student is attending.

811. Reconciliation Requirements.

811.1. Term Reconciliation.

1. Eligible Postsecondary Institutions must conduct a Term Reconciliation by the end of each term. A Term Reconciliation consists of an official acknowledgement by an authorized school official, through Postsecondary Functions that the number of students submitted for payment, total invoiced, the number of invoices paid and total disbursed by GSFA to the Eligible Postsecondary Institution, according to Postsecondary Functions, is accurate on that date.
 - a. GSFA will not issue any state scholarship funds for the following term until the Term-Reconciliation is complete.
 - b. Funds are not returned to GSFA as part of the Term Reconciliation process.

811.2. Fiscal Year End Reconciliation.

1. Eligible Postsecondary Institutions must conduct the Fiscal Year End Reconciliation consisting of an official acknowledgement by an authorized school official, through Postsecondary Functions verifying, student by student, the accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to the student's Enrolled-Hours, Paid-Hours, Learning Support, and program of study information, when applicable to the program.
 - a. Reconciliation certification forms must be completed and submitted electronically, through Postsecondary Functions by July 15, immediately following the completion of the Fiscal Year for each State Program.
 - b. Return to GSFA any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
 - c. GSFA will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
 - d. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

812. Records Retention Requirements.

812.1. Length of Retention.

1. An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the HERO Scholarship Program, including, but not limited to individual student files for whichever is longer:
 - a. Three years after the Award Year in which the aid was awarded; or
 - b. For such other period as required by an applicable statute, rule, or regulation; or
 - c. Such other time as requested in writing by GSFA.

812.2. Documentation.

1. Documentation contained within an individual student's file or record, which supports the original determination of a student's eligibility, must be retained by the Eligible Postsecondary Institution and available for review by GSFA on the institution's campus, located within the State of Georgia, for at least three years after the most recent Award Year for which the student received HERO funds (refer to *Section 814.*).
2. Eligible Postsecondary Institutions are permitted to maintain these documents in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
 - a. Such documentation may include, but is not limited to, copies of permanent resident alien cards, Georgia state income tax returns, student financial aid applications, or academic transcripts from previous institutions.
 - i. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the Eligible Postsecondary Institution.
 - ii. Documentation supporting a student's eligibility that is received and maintained by the Eligible Postsecondary Institution's admissions office, registrar's office, business office, or other administrative operations of the institution, must be available to GSFA for the purpose of Compliance Reviews.
3. It is the Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing funds to the student.

812.3. Extended Retention.

1. An Eligible Postsecondary Institution may be required to retain student records involved in a Compliance Review Audit, or investigation for more than the three- year retention period set forth in *Section 812.1*. If the three-year retention period expires before the issue in question is resolved, the Eligible Postsecondary Institution must continue to retain all associated records until resolution is reached.

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813. Administrative Reviews and Exceptions.

813.1. Administrative Reviews.

1. The HERO Scholarship Program Regulations are applied to each student considered for such funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFA.
2. If a student believes a HERO Scholarship Program rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with GSFA.
3. In order for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFA's office within 45 calendar days of receiving notice of denial. If additional information is requested from the student, it must be provided within the time frame specified by GSFA.
 - a. GSFA will review the case and determine whether the rule or regulation was applied correctly and notify the student and Eligible Postsecondary Institution of the determination.
 - b. GSFA decides a case based only on documentation provided by the student, rather than a personal presentation.

813.2. Exceptions.

1. Requests for Exceptions to the HERO Scholarship Program Regulations will not be considered, reviewed, or granted under any circumstances.

814. Compliance Reviews.

814.1. Compliance Review Policy.

1. GSFA may conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the HERO Scholarship Program in order to assess institutional administration of the program and compliance with the program's regulations. Compliance Reviews are conducted in accordance with GSFA's *Compliance Review Process and Procedures* document, which is available at gsfc.georgia.gov, under *Information for School Compliance*.

814.2. Compliance Review Process.

1. GSFA selects a sampling of the Eligible Postsecondary Institution's recipients, for the Award Year under review, and the Eligible Postsecondary Institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution (refer to *Section 812*).
 - a. GSFA will exclude Residency determinations as they relate to *Section 804.2.*, and SAP determinations for HERO recipients, in the selected sample of any USG or TCSG institution that has submitted a signed certification to GSFC's Compliance Department by the President of the Eligible Postsecondary Institution that:
 - i. The Eligible Postsecondary Institution is in compliance with its policies and procedures in the determination and the administration of the financial aid award process relative to Residency requirements and SAP; and
 - ii. The Residency and SAP determinations have been fairly and consistently applied with respect to all students receiving the HERO award.
 - b. Such certification must be submitted annually to the Compliance Department of GSFA.
 - i. Failure to provide such certification will result in a review of Residency determinations and SAP determinations made for HERO recipients in the selected sample.

814.3. Institutional Repayment.

1. If a recipient is determined by GSFA, to be ineligible for payment, the Eligible Postsecondary Institution may be required to repay to GSFA the funds awarded to the recipient. The recipient, rather than the Eligible Postsecondary Institution, may owe the repayment to GSFA, as described in *Section 810.1*.
2. If evidence not available at the time of awarding indicates that a student should not have received HERO funds, then all future HERO awards for that student must be canceled.
 - a. The Eligible Postsecondary Institution is held harmless by GSFA if the student's file is appropriately documented with available evidence, and it is determined by GSFA that the Eligible Postsecondary Institution was not at fault.
 - b. Evidence is considered unavailable at the time of awarding if it is not available in the student's institutional files (i.e., financial aid, admissions, registrar, etc.).
3. The Eligible Postsecondary Institution must notify the student and GSFA of a refund due to GSFA.
4. The student will be ineligible to receive additional state aid from GSFA until the refund is paid in full, in accordance with *Section 810.2*.
5. If GSFA determines that the student's file is not adequately documented, the Eligible Postsecondary Institution may be solely responsible for the repayment.

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EXHIBIT 6

Steven Steinhilber

From: Brian Annino <bannino@gsfc.org>
Sent: Wednesday, April 28, 2021 1:28 PM
To: Steven Steinhilber
Cc: Pennie Strong
Subject: RE: Participation in GSFC/GSFA Student Aid Programs - Luther Rice
Attachments: PSI Program Application 2021.pdf

Mr. Steinhilber – Thank you for reaching out to our agency. I understand that your institution is interested in becoming eligible to participate in GSFC and GSFA programs. In furtherance of same, attached please find an institutional program application. Upon receipt of a signed application, our agency will review and make a determination of eligibility. Please reach out with any questions.

Best,
 Brian Annino



Brian M. Annino, Esq.
 General Counsel
 Georgia Student Finance Commission
 Office: 770.724.9019
 Mobile: 470.774.4700
 Toll Free: 800.505.GSFC

From: Steven Steinhilber <Steven.Steinhilber@lutherrice.edu>
Sent: Tuesday, April 27, 2021 3:39 PM
To: Pennie Strong <PENNIES@GSFC.org>
Subject: Participation in GSFC/GSFA Student Aid Programs

Pennie Strong,

Good afternoon, my name is Steve Steinhilber and I serve as the Executive Vice President of Luther Rice College and Seminary. My colleague, Casey Kuffrey, contacted you back in November concerning Luther Rice's eligibility to participate in GSFC/GSFA Student Aid programs. Thank you for having Brian Annino, General Counsel, contact us so quickly with a determination.

The determination in November 2020 was: *"Currently, your institution offers a Bachelor of Arts in Religion with the sole major in Biblical Studies. Within this major there are three minor programs: Biblical Counseling, Christian Worldview, and Ministry. There are no other undergraduate degrees. Because your institution offers no other undergraduate programs, and based upon a review of the academic requirements of the existing undergraduate program, we have determined that your institution is considered a school of theology or divinity which would preclude its participation in the HOPE program and other financial aid programs administered by the agency. Therefore, the institution does not qualify for eligibility under the statute and regulations."* Brian Annino concluded the letter by stating that we should reach out to your agency in the future for reconsideration if our circumstances change.

I am contacting you today concerning future reconsideration of eligibility. We recently were approved by our Board of Trustees to add two new undergraduate programs, a *Bachelor of Arts in Psychology* and a *Bachelor of Arts in Business Administration*. Our current timeline has us launching these new programs in Summer 2022 or Fall 2022. Therefore, as

of Fall 2022, Luther Rice College will have three (3) undergraduate programs. Only one (1) degree program will be a Bachelor of Arts in Religion with a major in Biblical Studies. Two (2) undergraduate programs will not have majors associated with religion or biblical studies. All undergraduate programs fall under the auspices of Luther Rice College.

Given the addition of two new degree programs next year 2022 (major in Psychology and major in Business Administration), would Luther Rice qualify for eligibility under the statute and regulations for GSFC/GSFA Student Aid programs?

We appreciate your time and consideration. If you need any additional information, please don't hesitate to contact me.

I look forward to hearing from you.

Sincerely,
Steve Steinhilber
Executive Vice President
Luther Rice College and Seminary

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EXHIBIT 7

GEORGIA STUDENT FINANCE COMMISSION**GEORGIA STUDENT FINANCE AUTHORITY****APPLICATION OF POSTSECONDARY INSTITUTION TO PARTICIPATE IN STUDENT AID PROGRAMS****SECTION I: INTRODUCTION**

This is an application for postsecondary institutions to apply to the Georgia Student Finance Commission ("GSFC") and the Georgia Student Finance Authority ("GSFA") (collectively, the "agency") for eligibility to participate in agency-administered student aid programs. Prior to submitting this application, you are strongly encouraged to review the information below regarding relevant laws and regulations pertaining to the agency's student aid programs. Please also review the Postsecondary Institutional Participation Agreement for State Programs and Verification of Lawful Presence within the United States, which is attached hereto as **Appendix "A."** **By submitting this application, your institution acknowledges that it has received and reviewed the program laws and regulations and agrees to abide by same.**

A. General Information:

Colleges and universities seeking to become an Eligible Post-Secondary Institution in order to participate in the HOPE and/or Tuition Equalization Grant programs must meet certain statutory requirements (subject to change). Such requirements also form the basis for becoming eligible to participate in other agency student aid programs. An institution may participate in any number of these programs if it is determined to be eligible under law. The statutory requirements include meeting one of the categories below:

- 1. Unit of the University System of Georgia (O.C.G.A. § 20-3-519(7)(A))**
- 2. Branch of the Technical College System of Georgia (O.C.G.A. § 20-3-519 (7)(B))**
- 3. Private independent non-profit post-secondary institution (O.C.G.A. § 20-3-519(7)(C)) – institution must meet requirements for Tuition Equalization Grant (O.C.G.A. § 20-3-411 (2)(A)):**
 - Nonprofit status;
 - Not a branch of University System of Georgia;
 - Not owned or operated by a state other than Georgia;
 - Not a graduate level school or school of theology or divinity;
 - SACS accreditation or candidacy;
 - If not SACS accredited/candidate, must:
 - Have been an approved for-profit college within the past five years, or
 - Have been accredited by SACS within the last seven years; and
 - Physical location in Georgia approved by SACS as a Branch Campus.
- 4. Private proprietary postsecondary institution (O.C.G.A. § 20-3-519(7)(D)) – institution must meet requirements for Tuition Equalization Grant (O.C.G.A. § 20-3-411(2)(B)):**
 - Baccalaureate granting;
 - SACS accreditation;
 - Not a Bible school or college (or, at the graduate level, a school or college of theology or

divinity);

- Admissions policy (must allow only HS grads, GED recipients or persons with postsecondary credentials);
- Students eligible for Pell Grant program;
- Authorization or Exemption granted by the Georgia Nonpublic Postsecondary Education Commission.
- Domicile or incorporation in Georgia;
- Existence in Georgia for at least 10 years; and
- Proof that the above requirements were met by January 1, 2011.

Program eligibility requirements are subject to change, and this is not an exhaustive list; if you have questions about a specific program, please contact the Georgia Student Finance Commission

B. Relevant Program Statutes:

Some, but not all, agency-administered student aid programs are governed by statute, including but not limited to:

Program Name (Agency administering)	Code Section (O.C.G.A.)
HOPE Scholarship (GSFC)	20-3-519.2
Zell Miller Scholarship (GSFC)	20-3-519(27)
HOPE Grant Program (GSFC)	20-3-519.5
HOPE GED Vouchers (GSFC)	20-3-519.6
Zell Miller Grant Program (GSFC)	20-3-519.5(d.1)
Dual Enrollment (GSFC)	20-2-161.3 (as amended by HB 444, effective July 1, 2020)
Tuition Equalization Grant (TEG) Program (GSFA)	20-3-410, <u>et seq.</u>
Georgia HERO Scholarship Program (GSFA)	20-3-485, <u>et seq.</u>
Realizing Educational Achievement Can Happen Scholarship (REACH) Program (GSFA)	20-3-495, <u>et seq.</u> (HB 1026 is pending, which reduces number of REACH scholars).

Program Name (Agency administering)	Code Section (O.C.G.A.)
Georgia National Guard Service Cancelable Loan Program (GSFA)	20-3-374

C. Regulations:

All agency-administered programs are governed by regulations. GSFC and GSFA Regulations regarding student aid programs can be accessed here: <https://gsfc.georgia.gov/regulations>. Additionally, the agency regularly posts information for participating institutions here: <https://gsfc.georgia.gov/information-schools>.

If you conclude that your institution may meet state eligibility requirements to participate in student aid programs administered by GSFC and GSFA, you are encouraged to complete the application below. Upon completion, return a copy to GSFC General Counsel Brian Annino at bannino@gsfc.org. Please attached additional pages as necessary.

<u>SECTION II: INSTITUTIONAL INFORMATION</u>
Name of Institution:
Trade Name or d/b/a that you use to conduct operations in Georgia (if applicable):
Address of Institution (list all campus locations in Georgia, and identify the main campus):
Web Page and Social Media Links (if applicable):
Tax Identification Number:

SECTION III: FINANCIAL AID OPERATIONS

Office of Postsecondary Education Identification (OPE ID) Number:
(An 8-digit number assigned by the U.S. Department of Education to an institution approved to participate in federal student financial aid programs).

Does the Institution participate in federal student financial aid programs? If no, has institution ever participated in such programs or currently owes any liabilities to the Department of Education:

Describe the Institution's internal controls and procedures utilized to ensure the integrity of financial and accounting information, promote compliance and accountability, and prevent fraud. Please provide documentation as necessary.

Questions regarding Institution's financial aid operations:

*Please answer each question below and provide documentation supporting each answer.
Please attach additional pages as necessary.*

1. Do you have a system of internal checks and balances for administering student financial aid that meets GSFC and GSFA [regulations](#)?

See Attached for Question #1.

2. Do you have procedures that ensure frequent, periodic reconciliation of fiscal office and financial aid office award data?

See Attached for Question #2

3. Does your institution maintain information technology sufficient to protect privacy of student records and comply with the agency's electronic reporting requirements? For more information regarding the agency's electronic reporting requirements: <https://gsfc.georgia.gov/information-schools>.

See Attached for Question #3.

4. Do you have a system to identify and resolve discrepancies in information you receive from various sources about a student's application for financial aid?

See Attached for Question #4.

5. Do you have a policy that meets federal regulations for requiring satisfactory academic progress for recipients of student financial aid?

SECTION IV: OFFICERS, DIRECTORS, AND KEY PERSONNEL

Name and Contact Information of Institution President/Chief Executive Officer:

Name and Contact Information of Chief Financial Officer:

Name and Contact Information of Financial Aid Director:

Number of financial aid staff members employed by Institution and identify number of financial aid staff members who focus on compliance with state programs:

Names of Members of Board of Directors or Board of Trustees (private institutions only), and indicate type of Board:

--

SECTION V: ACADEMIC PROGRAMS AND CALENDAR

Please identify type of academic calendar used by Institution (i.e.: semester, quarter, trimester, etc).

--

How many undergraduate students attend each campus?

--

Please provide a list of all undergraduate academic programs offered by your institution, including a percentage of your current student population engaged in study in each program, and the number of credit hours required to complete each program (attach additional pages as necessary). Attach documentation as necessary.

--

Are any of Institution's course offerings offered by correspondence or distance learning? If so, please explain the circumstances in detail.

SECTION VI: ACADEMIC PROGRAMS AND CALENDAR

I hereby certify that, to the best of my knowledge and belief, all information in this document is true and correct. I understand that if my institution provides false or misleading information, (a) the Georgia Student Finance Commission may deny the institution's request for eligibility to participate in Georgia's student financial aid programs and/or revoke eligibility once it has been granted and (b) the institution may be liable for all Georgia student financial aid funds it or its students received. I further certify that the institution agrees to abide by all student aid program laws and regulations.

NAME OF INSTITUTION:

Steven R. Steinhilber Jr.

Signature of President/CEO:

Name:

Date:

**POSTSECONDARY INSTITUTIONAL PARTICIPATION AGREEMENT FOR STATE PROGRAMS AND
VERIFICATION OF LAWFUL PRESENCE WITHIN THE UNITED STATES**

SECTION I: INSTITUTIONAL INFORMATION
NAME OF INSTITUTION:
ADDRESS OF INSTITUTION:
OFFICE OF POSTSECONDARY EDUCATION IDENTIFICATION (OPE ID) NUMBER: (An 8-digit number assigned by the U.S. Department of Education to an institution approved to participate in federal student financial aid programs).
NAME OF EACH ACCREDITING AGENCY APPROVING THE INSTITUTION:

SECTION II: MUTUAL AGREEMENT

This **Institutional Participation Agreement for State Programs** (hereinafter referred to as the "**Agreement**"), is made and entered into by and between the **Georgia Student Finance Commission** (hereinafter referred to as the "**Commission**"), the **Georgia Student Finance Authority** (hereinafter referred to as the "**Authority**"), each of which are instrumentalities of the state of Georgia and located at 2082 East Exchange Place, Tucker, Georgia 30084 and the postsecondary institution identified in Section I of this Agreement (hereinafter referred to as the "**Institution**").

This Agreement shall be effective July 1, 2020 and shall expire on June 30, 2024. Execution of this Agreement is mandatory for participation in one or more of the State Programs. Federal or state law or regulations, as amended, shall prevail if the terms of this Agreement are not consistent with federal or state law or regulations, as amended.

Definitions of certain terms used within this Agreement are set forth on **Appendix "A,"** attached hereto and incorporated herein by reference.

For mutual consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

SECTION III: INSTITUTIONAL ASSURANCES

The Institution hereby assures and represents to the Commission and Authority that:

1. The Institution is an eligible institution under the State Programs' rules, regulations, and laws of the State of Georgia.
2. The Institution shall inform the Commission and Authority in writing of any changes to its institutional accreditation status within 10 business days. Such notification shall be directed to the President of each agency at the address set forth above.

3. The Institution understands that its participation in the administration of the State Programs is an institution-wide responsibility. The Institution shall manage its participation in State Programs and coordinate information related to State Programs funds and recipients among all offices (i.e., student financial aid office, accounting/bursar's office, registrar's office, admissions office, third-party servicers, etc.). Information in the possession of any office, division or department of the Institution constitutes information in possession of the Institution.
4. The Institution shall maintain an accounting system that includes, but is not limited to, cash receipts, disbursement journals, bank account reconciliation, evidence of receipt of State Programs funds, and disbursement of State Programs' funds to students, evidenced on an individual basis.
5. The Institution accepts fiduciary responsibility to ensure that State Programs funds are used solely for the benefit of eligible students, in accordance with State Programs regulations. Under no circumstances may the Institution use State Programs funds for any other purpose, including but not limited to, paying operating expenses, collateralizing or otherwise securing a loan, earning interest or generating revenue in a manner that risks the loss of State Programs funds or subjects State Programs' funds to liens or other attachments.
6. The Institution shall maintain data security measures that comply with applicable state and federal law to ensure the security, integrity, privacy, and accuracy of sensitive student data submitted to and received from the Commission and Authority.
7. The Institution shall comply with the State Programs laws, rules, regulations, policies, Dear Colleague Letters and School Updates as amended or modified from time-to-time, and comply with such instructions as may be issued from time-to-time by the Commission and Authority, including but not limited to instructions contained on administrative forms and procedures prescribed by the Commission and Authority for use in the administration of any State Programs in which the Institution is participating.
8. The Institution shall not request State Programs funds from the Commission and Authority unless such funds are properly payable as State Programs awards for specific recipients enrolled in the Institution, and only after the Institution has determined the eligibility of the recipients, where applicable, in accordance with State Programs regulations.
9. The Institution shall comply with the Drug-Free Postsecondary Education Act of 1990 (O.C.G.A. Title 20 Chapter 1 Article 2) by prohibiting the disbursement of State Programs funds to any student convicted, under the laws of this state, the United States or any other state, of a felony offense involving the manufacture, distribution, sale, possession or use of marijuana, a controlled substance, or a dangerous drug, as of the date of conviction. Such denial of State Programs funds shall continue to be effective the first day of the school term for which the student is enrolled immediately following the date of conviction and shall continue through the end of such school term.
10. The Institution shall verify the lawful presence in the United States of any student applying for any State Programs funds (except for students solely participating in the Dual Enrollment program), (i) in accordance with the requirements of O.C.G.A. § 50-36-1, by collecting all required documents and data specified therein; or (ii) by verification of lawful presence through means required by federal law as set forth in O.C.G.A. § 50-36-1(h). Additionally, the Institution shall verify that a student applying for funds under any State Programs is a United States Citizen or Eligible Non-Citizen pursuant to Federal Title IV Programs Regulations (except for students solely participating in the Dual Enrollment program.) **Such verifications shall be required for all students receiving any State Programs' funds (except for those students solely participating in the Dual Enrollment program), regardless of whether the student is applying for any federal assistance.**
11. The Institution shall collect and store all documentation used to support verification of lawful presence in accordance with paragraph ten in such a manner that the Commission and Authority can access such documentation upon request prior to disbursement of State Programs funds to the Institution on behalf of the students for which the funds are invoiced to the Commission and Authority.
12. The Institution shall furnish ready access to all records and personnel required for ensuring compliance with the regulations for any State Programs and to support the Institution's assurances

under this Agreement, as may be requested by the Commission and Authority, in accordance with the Commission's Compliance Program policies and procedures., Such records must be made available for the Commission's review and examination on the campus of the Institution located within the State of Georgia, unless the Commission notifies the Institution that the examination shall be conducted remotely.

13. The Institution shall retain and maintain accurate fiscal records, supporting documentation and other evidence concerning the State Programs and the assurances made in this Agreement including, but not limited to, individual student files for the later of three years after the Award Year in which the aid was awarded, or for such other period as required by an applicable statute, rule, or regulation; or such other time as requested in writing by the Commission and Authority. The Institution may be required to retain student records involved in a Compliance Review, audit, or investigation for more than the three-year retention period described above. If the three-year retention period expires before the issue in question is resolved, the Institution agrees to continue to retain all associated records until resolution is reached.
14. The Commission and Authority will provide written notice to the Institution if the Commission and Authority determine that the Institution is unable to properly manage or account for State Program funds and/or is unable to properly administer or fulfill the commitments and assurances of this Agreement. The Institution shall have thirty (30) days from the date of the notice to cure all deficiencies specified in the notice. The Institution understands that failure to become compliant with the Agreement within the cure period authorizes the Commission and Authority, upon their sole discretion, to remove the Institution from participation in any or all State Programs.
15. The Institution understands that its ability to participate in any specific State Program may be limited by laws and regulations pertaining to that State Program.
16. The Institution agrees that, in accordance with the regulations for each State Program, it will promptly reimburse the Commission and/or Authority for any and all funds disbursed to the Institution that are determined to have been improperly awarded by the Institution to a student. Such reimbursement liability includes, but is not limited to, any funds disbursed to or credited to the accounts of students beyond the amount of funds approved by the Commission and/or Authority, the State Program regulations or applicable Georgia law.
17. The Institution will conduct a student-by-student term reconciliation at the end of each term. The Commission and Authority will not issue additional funds for the following term until the term-reconciliation is complete in accordance with the State Program rules and regulations.
18. The Institution will conduct a student-by-student award-year reconciliation and submit a reconciliation form to the Commission and Authority by July 15 of each year. The Institution must return to the Commission and Authority any funds not awarded according to the July 15 award-year reconciliation by August 15 of that year in accordance with the State Program rules and regulations.
19. If the Institution participates in the Dual Enrollment Program, the Institution agrees to waive all mandatory and non-course related fees for eligible high school students participating in the program until such time as the student reaches the Dual Enrollment Program funding cap established by law and regulation. Furthermore, until such time the student reaches the funding cap, the Institution shall provide course books to eligible high school students participating in the program at no charge to the student; and accept the amount paid by the Commission as full payment for an eligible high school student's tuition, mandatory and non-course related fees, and course books.
20. The Institution shall utilize and comply with all College HOPE Eligibility Calculation Service ("**CHECS**") requirements, including but not limited to, making timely submission of all student academic transcript data for HOPE and Zell Miller Scholarship and Grant GPA, checkpoint and hours calculations, utilizing CHECS academic eligibility determinations regarding student award determinations and disbursements, obtaining transcripts from all other institutions attended by a student, timely submitting transcript data records for each term prior to the Commission paying invoices, and such other

requirements issued by the Commission via regulation, policy or procedure, Dear Colleague Letter, or other communication.

21. The Institution shall submit invoices through GSFC's online invoicing system, Scholarship Up-to-date Records for Electronic Reporting ("**SURFER**"), to be processed and approved by GSFC by the Invoicing Deadline Date and in accordance with all requirements established by the Commission. The Institution shall also submit all required data through Postsecondary Functions ("**PSF**") in a timely manner in order to remain eligible for GSFC's review and payment of invoices.
22. By signing this Agreement, the Institution is not required to participate in each State Program covered by this Agreement.

SECTION IV: COMMISSION AND AUTHORITY ASSURANCES

The Commission and Authority hereby assures the Institution that:

1. The Commission and Authority agree to comply with all applicable federal and State of Georgia privacy and data security laws pertaining to proper access, creation, modification, handling, storage, transfer, transmission, dissemination, sharing or destruction of confidential information pertaining to the Institution and students.
2. The Commission and Authority agree to post on their websites (www.gsfc.org and www.gacollege411.org) forms, publications, information, training, technical support, a training calendar and ongoing assistance related to the administration of the State Programs. This assurance does not waive or alter the Institution's responsibility to be compliant with all laws and regulations pertaining to the State Programs.
3. The Commission and Authority shall post on their websites any changes to the State Programs due to statute and/or regulations through operational memoranda, *Dear Colleague Letters*, electronic bulletins or other informational materials. This assurance does not waive or alter the Institution's responsibility to be compliant with all laws and regulations pertaining to the State Programs'
4. The Commission shall conduct Compliance Reviews with the Institution in accordance with the Commission's Compliance Program policies and procedures, as may be updated by the Commission from time to time.

(SIGNATURES APPEAR ON NEXT PAGE; REMAINDER OF PAGE INTENTIONALLY BLANK)

In WITNESS WHEREOF, the parties hereto have duly executed and delivered this Agreement as of the dates set forth below.

INSTITUTION:

**GEORGIA STUDENT FINANCE COMMISSION;
GEORGIA STUDENT FINANCE AUTHORITY**

President/CEO

Interim President

Name

Name

Date

Date

APPENDIX "A": DEFINITIONS

"Agreement" means the document entitled the *Postsecondary Institutional Participation Agreement for State Programs* published by the Georgia Student Finance Commission.

"Authority" means the Georgia Student Finance Authority, a state agency responsible for administering certain postsecondary educational student financial aid loan programs offered by the State of Georgia, and other programs for which funds may be appropriated or assigned to it by the state legislature, or from other sources, from time to time.

"Award Year" means four consecutive quarters or three consecutive semesters, beginning with the summer term and ending with the spring term, or the Non-Standard equivalent, or the Non-Term equivalent.

"Commission" means the Georgia Student Finance Commission, a state agency responsible for administering certain postsecondary educational student financial aid programs offered by the State of Georgia, and other programs for which funds may be appropriated or assigned to it by the state legislature, or from other sources, from time to time.

"Compliance Review" means an assessment by the Commission of an eligible postsecondary institution by evaluating the eligible postsecondary institution's compliance with the regulations governing programs administered by the Commission and Authority, in accordance with the Commission's *Compliance Review Process and Procedures* document.

"Institution" means the postsecondary educational institution identified in Section I of this Agreement.

"State Programs" means the student financial aid programs (scholarships, grants, and service-cancelable loans) administered by the Commission and Authority including but not limited to: HOPE Scholarship, Zell Miller Scholarship, HOPE Grant, HOPE GED Grant, Zell Miller Grant, Dual Enrollment Program, Georgia Tuition Equalization Grant, Georgia HERO Scholarship, Scholarship for Engineering Education for Minorities, Public Safety Memorial Grant, North Georgia College and State University ROTC Grant, North Georgia College and State University Future Officers Grant, North Georgia College and State University Military Scholarship/Loan, Georgia Military College State Service Scholarship/Loan, John R. Justice Student Loan Repayment Program, Scholarship for Engineering Education, Student Access Loan with Service Cancelable Options and other programs for which funds may be made available during the term of this Agreement.

EXHIBIT 8

GSFC | Georgia Student Finance Commission

Brian P. Kemp

GOVERNOR



Georgia Student Finance Commission
Georgia Student Finance Authority
Georgia Higher Education Assistance Corporation
GAfutures

Lynne Riley

PRESIDENT

June 5, 2023

VIA EMAIL TO: Steven.Steinhilber@lutherrice.edu

Mr. Steven Steinhilber
President
Luther Rice College and Seminary
3038 Evans Mill Road
Lithonia, GA 30038

RE: Determination Regarding Application to Participate in GSFC/GSFA Student Aid Programs

This letter is in response to the application by Luther Rice College & Seminary ("Luther Rice") to participate in Georgia student aid programs offered by the Georgia Student Finance Commission and Georgia Student Finance Authority. For the reasons set forth herein, we have determined that your institution is not eligible to participate in such student aid programs based upon law and regulations.

Under Georgia law, to qualify as "eligible postsecondary institution" for the purpose of participating in various state scholarship and grant programs, a college or university must be:

- (A) A unit of the University System of Georgia;
- (B) A branch of the Technical College System of Georgia;
- (C) *A private independent nonprofit postsecondary institution eligible for tuition equalization grants in accordance with the provisions of subparagraph (A) of paragraph (2) of Code Section 20-3-411;* or
- (D) A private proprietary postsecondary institution eligible for tuition equalization grants in accordance with the provisions of subparagraph (B) of paragraph (2) of Code Section 20-3-411.

(Emphasis added)

To meet the requirements of paragraph (C), above, an institution must satisfy the provisions of subparagraph (A) of paragraph (2) of code section 20-3-411, which provides in pertinent part:

...is accredited by the Southern Association of Colleges and Schools; which is not a graduate level school or college of theology or divinity; and which is not presently receiving state funds under Article 4 of this chapter...

(Emphasis added)

Mr. Steven Steinhilber

June 5, 2023

Page 2

The Georgia Code does not permit institutions of higher learning to participate in state scholarships and grants to the extent the school is a "school or college of theology or divinity." Although Luther Rice has added degrees in non-religious studies, we find this insufficient to meet the statutory definition of eligible postsecondary institution as most of its offerings remain religious based and the non-religious degrees remain substantially intertwined with the school's religious mission.

Therefore, based upon a review of the academic requirements of the proposed undergraduate and associate degree programs, we have determined that your institution as a whole is considered a "school of theology or divinity" as used in the code which would preclude its participation in the HOPE program and other financial aid programs administered by the agency. Therefore, the institution does not qualify for eligibility under the statute and regulations.

Please contact me directly via telephone at (770) 724-9019 or email at sdebaun@gsfc.org with any questions you may have regarding this matter. Thank you for your interest in the student aid programs administered by our agency. I wish your institution and its students all the best in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen DeBaun", with a long horizontal flourish extending to the right.

Stephen DeBaun
General Counsel

Cc: Pennie Strong, GSFC Executive Vice President

EXHIBIT 9

Steven Steinhilber

From: Steven Steinhilber
Sent: Tuesday, December 19, 2023 1:44 PM
To: 'PENNIES@GSFC.org'
Subject: Request for Response and Assistance

Good afternoon Pennie. I'm assuming that you haven't received my multiple attempts to contact you for assistance given I have not heard back from you. If that's not the case and I've done something to warrant no response, please let me know who I need to contact moving forward. My sincere apologies if I have done anything wrong. However, I have a responsibility to my Board of Trustees and constituents to ensure we get assistance from your organization.

I kindly request 15 minutes of your time in January to discuss our denial and how we can plan for the future to meet the GSFC statute for state student aid.

I look forward to hearing from you and setting up 15 minutes in January.

Thank you and have a great Christmas.

Steven Steinhilber
President
(770) 484-1204 x5174
www.LutherRice.edu



From: Steven Steinhilber
Sent: Tuesday, November 21, 2023 8:23 AM
To: PENNIES@GSFC.org
Subject: Request for your assistance

Good Tuesday morning Pennie. I left you a voicemail yesterday morning requesting 15 minutes of your time after the Thanksgiving holiday.

Your bio on the Georgia State Finance Commission webpage says that you are the one who "provides assistance with program regulations, eligibility information..." Therefore, as a SACSCOC accredited college with 3 undergraduate programs (2 or 66% of which are non-religious in nature) with at total of 60 credit hours of general education/studies available to our students, I kindly request your assistance as we need clarification with regard to the statute and our how we are to plan for eligibility in the future.

I realize that you likely get inundated with requests like this. With that in mind, I am appreciative of any time you can allot me.

Have a wonderful Thanksgiving. I look forward to talking with you.

Steven Steinhilber
President
(770) 484-1204 x5174
www.LutherRice.edu



From: Steven Steinhilber
Sent: Friday, September 29, 2023 1:41 PM
To: PENNIES@GSFC.org
Subject: Assistance Requested - Luther Rice - GSFC student aid

Good Friday afternoon Pennie. I want to thank you and Stephen for engaging us along the way as we work through the application process for GSFC student aid.

Our Board of Trustees met last Friday and discussed our failed attempts to gain eligibility to GSFC student aid.

As I expected, our Board reaffirmed that they would like direction on what we can do as an institution to gain eligibility in the future (programmatic, etc.). In particular, if we fall short, where and how can we improve to gain eligibility? Is this something the Commission can provide for us as we begin our Strategic Planning process?

Pennie, would you be available by phone or in person appointment in the near future to discuss this further?

I certainly do not want to be a bother to you or the Commission. However, given our SACSCOC accreditation, undergraduate program mix, and robust general education requirements, our Board is determined to plan a path forward. I need your assistance.

Thank you for your time and I look forward to hearing back from you.

Sincerely,

Steven Steinhilber
President
(770) 484-1204 x5174
www.LutherRice.edu



From: Steven Steinhilber
Sent: Friday, September 1, 2023 9:57 AM
To: Stephen DeBaun <sdebaun@gsfc.org>
Cc: Pennie Strong <PENNIES@GSFC.org>
Subject: RE: External: RE: Luther Rice Response - GSFC student aid determination letter

Thank you Stephen for the email below.

I am thankful for the Commission's thoughtful consideration concerning this matter. I am also thankful for your time as well.

As President of Luther Rice, in conjunction with the will of our Board of Trustees, I kindly ask the Commission for some guidance for our school moving forward. The most recent determination states that Luther Rice remains a "school of theology or divinity", which precludes us from eligibility. Our Board would like direction on what we can do as an institution to gain eligibility in the future (programmatic, etc.). Is this something the Commission can provide for us as we begin our Strategic Planning process?

Thank you Stephen. I certainly do not want to be burdensome here. However, my responsibility to Luther Rice is to make sure we have all of the information possible to make the best decisions for our constituents.

I look forward to hearing from you.

Steven Steinhilber
President
(770) 484-1204 x5174
www.LutherRice.edu



From: Stephen DeBaun <sdebaun@gsfc.org>
Sent: Friday, August 4, 2023 10:26 AM
To: Steven Steinhilber <Steven.Steinhilber@lutherrice.edu>
Cc: Pennie Strong <PENNIES@GSFC.org>
Subject: RE: External: RE: Luther Rice Response - GSFC student aid determination letter

Mr. Steinhilber,

Please find attached GSFC's response to your letter dated June 7, 2023.

Sincerely,



Stephen DeBaun
General Counsel
Georgia Student Finance Commission
Office: 770.724.9019
Toll Free: 800.505.GSFC

From: Steven Steinhilber <Steven.Steinhilber@lutherrice.edu>
Sent: Monday, July 31, 2023 9:41 AM
To: Stephen DeBaun <sdebaun@gsfc.org>
Cc: Pennie Strong <PENNIES@GSFC.org>
Subject: RE: External: RE: Luther Rice Response - GSFC student aid determination letter

Good Monday morning. I hope you all are well.

I wanted this morning to follow up on the set of questions we sent your way on June 7, 2023. In your initial response, you stated that we could ask questions concerning the GSFC student aid determination letter.

Our next Board of Trustees meeting is approaching and this issue will be on the agenda. Responses to our questions from the Commission would be most helpful as we decide how to navigate in the future.

Thank you both for your time. I know you are extremely busy.

In case you don't have our response/questions from June 7th, I've attached them to this email.

Have a great day.

Steven Steinhilber
President
(770) 484-1204 x5174
www.LutherRice.edu



From: Steven Steinhilber <Steven.Steinhilber@lutherrice.edu>
Sent: Friday, June 9, 2023 2:37 PM
To: Stephen DeBaun <sdebaun@gsfc.org>
Cc: Pennie Strong <PENNIES@gsfc.org>
Subject: Re: External: RE: Luther Rice Response - GSFC student aid determination letter

Thank you Stephen.

Sent from my iPhone

On Jun 9, 2023, at 11:12 AM, Stephen DeBaun <sdebaun@gsfc.org> wrote:

Mr. Steinhilber,

I am confirming receipt of your letter.

Sincerely,



Stephen DeBaun
General Counsel
Georgia Student Finance Commission
Georgia NPEC
Office: 770.724.9019
Cell: 470.774.4700
Toll Free: 800.505.GSFC

From: Steven Steinhilber <Steven.Steinhilber@lutherrice.edu>
Sent: Wednesday, June 7, 2023 1:49 PM
To: Stephen DeBaun <sdebaun@gsfc.org>
Cc: Pennie Strong <PENNIES@GSFC.org>
Subject: Luther Rice Response - GSFC student aid determination letter

Thank you Stephen for your email and response. Please see the attached response from Luther Rice concerning the determination letter dated June 5, 2023.

I look forward to hearing back from you soon.

Sincerely,

Steven Steinhilber
President
(770) 484-1204 x5174
www.LutherRice.edu



From: Stephen DeBaun <sdebaun@gsfc.org>
Sent: Monday, June 5, 2023 3:09 PM
To: Steven Steinhilber <Steven.Steinhilber@lutherrice.edu>
Cc: Pennie Strong <PENNIES@GSFC.org>
Subject: External: GSFC student aid determination letter

Mr. Steinhilber,

Attached is a copy of the Georgia Student Finance Commission determination letter in response to your request to participate in student aid programs offered by the Georgia Student Finance Commission and Georgia Student Finance Authority. The original has been mailed as well.

Sincerely,



Stephen DeBaun
General Counsel
Georgia Student Finance Commission
Georgia NPEC
Office: 770.724.9019
Cell: 470.774.4700
Toll Free: 800.505.GSFC

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GSFC | Georgia Student
Finance Commission

Brian P. Kemp
GOVERNOR



Georgia Student Finance Commission
Georgia Student Finance Authority
Georgia Higher Education Assistance Corporation
GAfutures.org

Lynne Riley
PRESIDENT

August 4, 2023

VIA EMAIL TO: Steven.Steinhilber@lutherrice.edu

Mr. Steven Steinhilber
President
Luther Rice College and Seminary
3038 Evans Mill Road
Lithonia, GA 30038

RE: Response to letter dated June 7, 2023

Mr. Steinhilber,

This letter is in response to your letter dated June 7, 2023. First, I want to assure you that the agency conducted a thorough and diligent assessment of your application, and Luther Rice's positions were given full consideration. However, the determination in the original letter reflects the agency's final determination as to how the law applies to Luther Rice. Please understand that our intention is not to dismiss your concerns but rather to convey that the agency's decision as stated in the letter dated June 5, 2023 is its final determination.

Sincerely,

s/Stephen DeBaun

Stephen DeBaun
General Counsel

Cc: Pennie Strong, EVP

June 7, 2023

VIA EMAIL TO: sdebaun@gsfc.org; cc: pennies@gsfc.org

VIA MAIL TO: Stephen DeBaun; Pennie Strong

Stephen DeBaun
General Counsel
Georgia Student Finance Commission
2082 East Exchange Place
Tucker, GA 30084

RE: Response to GSFC Determination Regarding Application to GSFC/GSFA Student Aid Programs

Thank you, Stephen, for your careful consideration of Luther Rice College and Seminary's application to participate in GSFC/GSFA Student Aid programs. We received your email dated June 5, 2023 containing the determination regarding Luther Rice College and Seminary's application to participate in GSFC/GSFA Student Aid programs.

You mentioned that we can contact you directly to discuss any questions we have regarding this matter. With regard to your email, we do have multiple questions concerning your determination. I have copied Pennie Strong on this correspondence as you did originally.

We are seeking to understand how the Georgia Code is interpreted and what governs its equitable application to institutions of higher education in the state of Georgia. Luther Rice College and Seminary has been in operation for sixty-one years, thirty-one years of which have been in the state of Georgia. Our student body not only represents an ethnically and economically diverse population but also represents over 50 counties across the state of Georgia. Our current total student enrollment is 908 students, 49% Caucasian, 42% African American, and 9% other ethnicity. Over 50% of our undergraduate students are eligible for varying amounts of Federal Pell Grants compared to approximately 32% nationwide (*National Center for Education Statistics 2020/2021*).

Question 1: You mention that "most" of Luther Rice's offerings remain religious based. You further state that "based upon the review of the academic requirements of the proposed undergraduate and associate degree programs, we have determined that your institution as a whole is considered a school of theology or divinity." With the undergraduate and associate degree programs in view and the implied basis for this determination, a majority, or 66% of the undergraduate offerings at Luther Rice, are non-religious based. Luther Rice offers three undergraduate programs, two of which are non-religious in nature.

- If 66% of Luther Rice undergraduate degrees are non-religious, how can a review of the academic requirements of the proposed undergraduate and associate degree programs determine that Luther Rice as a whole is considered a school of theology or divinity?
- Is the “whole” of the institution in view, or solely the undergraduate programs that are eligible for the GSFC/GSFA Student Aid programs, when assessing eligibility?
 - If the “whole” is in view (graduate and undergraduate), what is the standard of measurement for “most of its offering remain religious based”? Is it solely a percentage? How does the Code inform this interpretation?
 - If a percentage is the measurement, given the use of the word “most,” is it to be understood that if 50.1% of total programs (graduate and undergraduate) are deemed non-religious, then the institution would qualify?
 - If the “whole” is in view, does it not make sense that Luther Rice cannot be labeled exclusively a school of theology or divinity given it offers 66% of its undergraduate degrees and 25% of its graduate degrees (36% in total) as non-religious in nature? The wording of the Code would seem to imply exclusivity and not based on percentage.

Question 2: You mention that the “non-religious degrees remain substantially intertwined with the school’s religious mission.”

- What constitutes “substantially intertwined”?
- The mission of Luther Rice is the following:

*“The mission of Luther Rice College & Seminary is to serve the church and **community** by providing biblically based on-campus and distance education to Christian men and women for ministry and the **marketplace** with an end to granting undergraduate and graduate degrees.”*

- How is the Luther Rice “religious mission,” or its degree programs that are “substantially intertwined with the religious mission,” any different than the following mission statements from private Georgia colleges and universities currently participating in GSFC/GSFA Student Aid programs?
 - **Truett McConnell University:** The mission of Truett McConnell University is to equip students to fulfill the Great Commission by fostering a Christian worldview through a Biblically-centered education in a family friendly environment.
 - **Brewton Parker College:** Our Mission: As a comprehensive Georgia Baptist institution, Brewton-Parker College provides liberal arts and professional programs in a learning community of shared Christian values. Through the application of biblical truth in scholarship and a co-curricular focus on character, servant leadership, and cultural

engagement, the college strives to provide a transformational experience that equips the whole student for lifelong learning and service in Christ. Our Vision: Brewton-Parker College strives to honor Jesus Christ in every area of the academy.

- **Covenant College:** The mission of Covenant College is to explore and express the preeminence of Jesus Christ in all things. We educate Christians to engage culture and cultures, to examine and unfold creation, and to pursue biblical justice and mercy in community. With the student-faculty relationship and strong teaching and scholarship at the foundation, our Christ-centered community seeks to help students mature in three primary areas: Identity in Christ, Biblical frame of reference, Service that is Christ-like. We offer the world biblically grounded men and women equipped to live out extraordinary callings in ordinary places.
- **Emmanuel College:** Emmanuel College is a community of Christ-centered higher learning that integrates faith, learning, and living within a biblical worldview and fosters spiritual, intellectual, and professional growth.
- **Paine College:** Paine College is a private institution steeped in the tenets of Methodism that provides a liberal arts education of the highest quality. The College emphasizes academic excellence, ethical and spiritual values, social responsibility, and personal development to prepare spiritually-centered men and women for positions of leadership and service.
- **Shorter University:** Motto/Vision: Transforming Lives Through Christ. Mission Statement: Advancing God's Kingdom through a commitment to academic excellence, spiritual growth, Christian leadership, and global service within the context of a biblical worldview.
- **Toccoa Falls College:** The mission of Toccoa Falls College is to cultivate a uniquely Christian learning community that integrates the pursuit of truth with godly character to produce graduates prepared both personally and professionally for service.

Question 3: All three schools, Truett McConnell University, Brewton Parker College, and Shorter University operate under the auspices of the Georgia Baptist Mission Board and are controlled by a Board of Trustees elected by the Convention. The Education Commission of the Georgia Baptist Mission Board supports the ministry of three Baptist colleges in Georgia and administers several scholarship programs. Luther Rice remains a private and independent institution that is not supported by, or derives governance from, the Georgia Baptist Mission Board.

In addition, Covenant College is controlled by the Presbyterian Church in America (PCA), Toccoa Falls College is associated with the Christian Missionary Alliance, Paine College is associated with the United Methodist Church and Christian Methodist Episcopal Church, and Emmanuel College is associated with the International Pentecostal Holiness Church.

- How can the non-religious degrees offered at these institutions with explicit ties to religious entities not remain substantially intertwined with their missions, while it has been determined that the non-religious degrees at Luther Rice are substantially intertwined?
- What measurement is used to assess “substantially intertwined” and where is that measurement stated in the Code?

In summary, it would appear that Luther Rice College and Seminary meets the eligibility requirements of the Georgia Code, subparagraph “A” of paragraph “2” of code section 20-3-411, to be eligible for GSFC/GSFA Student Aid programs.

- Luther Rice is accredited by the Southern Association of Colleges and Schools
- Luther Rice is not exclusively a graduate level school of theology or divinity (25% of graduate degrees offered are non-religious)
- Luther Rice College is not exclusively a college of theology or divinity (66% of undergraduate degrees offered are non-religious)
- The non-religious degrees offered at Luther Rice are no more “substantially intertwined” with our mission than the other schools currently eligible for state funds in Question 3.

I appreciate your time and consideration of this matter. Our Board of Trustees eagerly awaits your response to this submission. I look forward to hearing from you soon.

Sincerely,

Steven Steinhilber
President
Luther Rice College and Seminary

Cc: Pennie Strong, GSFC Executive Vice President

January 8, 2024

Lynne Riley
President
Georgia Student Finance Commission
2082 East Exchange Place
Tucker, GA 30084

RE: Response to GSFC Determination Regarding Application to GSFC/GSFA Student Aid Programs

My name is Steven Steinhilber and I serve as the President of Luther Rice College and Seminary in Lithonia, Georgia. Luther Rice is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

Luther Rice applied to gain eligibility to GSFC/GSFA Student Aid programs on September 28, 2022. We received a determination letter from Stephen DeBaun and Pennie Strong on June 5, 2023, stating that we do not qualify for the aid programs. Per his invitation to do so, I followed back up with Stephen and Pennie on June 7, 2023, with specific questions concerning the determination and a request for assistance regarding future eligibility. Stephen promptly responded to the email on August 8, 2023, stating that the decision was final and closed. However, none of the questions I had regarding the denial and future eligibility consideration were addressed.

Since August 8, 2023, I have sent multiple emails, phone calls, and letters seeking to gain a greater understanding of how Luther Rice fell short of the statute and how we can make necessary adjustments to gain eligibility in the future. I have not received a response to my requests.

I am concerned that the explanation for our denial on June 5, 2023, does not match the reality of the programs offered at our institution. I am not pleading for special treatment. Instead, I am looking for guidance from the GSFC concerning our questions and eligibility. I know you are busy and addressing my issue is not supposed to be part of your day. However, I appeal to you because I cannot get a response to my inquiries.

We currently offer three (3) undergraduate programs in our College. Two of the three, or 66%, are “non-religious” studies. However, the denial letter dated June 5, 2023, stated, “Although Luther Rice has added degrees in non-religious studies, we find this insufficient to meet the statutory definition of eligible postsecondary institution as **most of its offerings remain religious based** and the **non-religious degrees remain substantially intertwined with the school’s religious mission.**” I put the words “non-religious” and “religious” in quotes given the verbiage used in the determination.

I would greatly appreciate the opportunity to speak with you or Pennie to understand how most of our offerings remain “religious” based when 66% of our undergraduate programs are “non-religious”. We currently offer an Associate of Arts in General Studies (60 credit hours), a Bachelor of Arts in Psychology (120 credit hours), and a Bachelor of Arts in Religion (120 credit hours). The three programs require anywhere between 36 to 60 credit hours of general education studies, all of which map to the General Education Core Curriculum for the University System of Georgia. In fact, only 24 of the 102 non-elective credit hours (23%) of the Bachelor of Arts in Psychology may be considered “religious”. No credit hours (0%) of the 60 credit-hour Associate of Arts in General Studies are “religious”. In total, “religious” credit hours account for only 90 of the 264 non-elective credit hours (34%) offered in our three undergraduate programs. I exclude elective credit hours given students have the option to choose “religious” and/or “non-religious” courses for electives.

Finally, I would like the opportunity to speak with you or Pennie concerning the determination that Luther Rice’s “non-religious” degree programs are “substantially intertwined with the religious mission.” Similar to other institutions with “religious” missions and degree programs, currently eligible for GSFC/GSFA Student Aid programs, Luther Rice strictly adheres to SACSCOC Core Requirement 1, Section 2 *Mission* that teaching and learning must be “intertwined” with the mission. Again, clarification will greatly help us plan for GSFC/GSFA compliance.

Section 2, CR 1: The institution has a clearly defined, comprehensive, and published mission specific to the institution and appropriate for higher education. The mission addresses teaching and learning and, where applicable, research and public service.

Luther Rice has been in operation for sixty-one years, thirty-one years of which have been in the state of Georgia. Luther Rice has been accredited by SACSCOC since 2020 and nationally with TRACS and ABHE for as long as 28 years. We have been approved by the Department of Education for Title IV purposes since 1994. Our student body not only represents an ethnically and economically diverse population but also represents over 50 counties across the state of Georgia. Our current total student enrollment is 908 students, 49% Caucasian, 42% African American, and 9% other ethnicity. Over 50% of our undergraduate students are eligible for varying amounts of Federal Pell Grants compared to approximately 32% nationwide (*National Center for Education Statistics 2020/2021*).

Answers to these questions will greatly help me and our Board of Trustees. I look forward to speaking with you. You can contact me via my cell phone at 770-778-2165 or via email at Steven.Steinhilber@LutherRice.edu. Thank you for your time and consideration.

Sincerely,

Steven Steinhilber
President
Luther Rice College and Seminary